

To be first lieutenants.

Second Lieut. Charles E. Morton, Twenty-second Infantry, February 2, 1900.

Second Lieut. Van Leer Wills, Twelfth Infantry, February 3, 1900.

Second Lieut. Ethelbert L. D. Breckinridge, Seventh Infantry, February 5, 1900.

Second Lieut. Garrison McCaskey, Twenty-fifth Infantry, February 11, 1900.

POSTMASTER.

William W. Lowry, to be postmaster at Auburn, in the county of Sangamon and State of Illinois.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 6, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. H. N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

GOVERNMENT FOR HAWAII.

Mr. KNOX. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of Senate bill 222, to provide a government for the Territory of Hawaii.

The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MOODY of Massachusetts in the chair, for the further consideration of the bill S. 222.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the further consideration of Senate bill 222.

Mr. McRAE. Mr. Chairman, I move to strike out of section 80, lines 13, 14, and 15, beginning with the word "except," in line 13, and ending with the word "only," in line 15.

Mr. SHAFROTH. That section has been stricken out.

The CHAIRMAN. The effect of the proposed amendment by the gentleman from Arkansas could not be heard at the desk.

Mr. McRAE. It is to strike out, in lines 13, 14, and 15, on page 85, of section 80, beginning with the word "except," in line 13, and ending with the word "only," in line 15.

Mr. ROBINSON of Indiana. That section has been defeated.

The CHAIRMAN. The Chair is informed that that section has been stricken out of the bill by an amendment heretofore adopted.

Mr. McRAE. The whole section?

Mr. SHAFROTH. All except the last paragraph, and in lieu thereof the Senate section has been adopted.

Mr. KNOX. That was done last night.

Mr. McRAE. Did the amendment of the gentleman from Colorado cover all of the section?

Mr. SHAFROTH. It took in all of section 80 down to the eighth line of page 86, and in lieu thereof it inserted the Senate section.

Mr. McRAE. Then, Mr. Chairman, I withdraw my amendment.

Mr. MONDELL. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

Insert, before the word "all" in the eighth line of page 86, the following: "All officers appointed under the provisions of this section shall be citizens of the Territory of Hawaii."

Mr. MONDELL. Mr. Chairman, the proposed amendment follows the amendment made last evening on motion of the gentleman from Colorado for the appointment of certain officers, and provides in effect that the judges of the supreme court, the circuit courts, the attorney-general, the treasurer, the commissioner of public lands, the superintendent of agriculture, the superintendent of public works, the superintendent of public construction, auditor, deputy auditor, surveyor, high sheriff, members of the board of health, commissioner of public instruction, board of prison inspectors, board of registration, inspectors of election, and other boards shall be citizens of the Territory of Hawaii.

Mr. ROBINSON of Indiana. Does it provide that the circuit-court judges shall be citizens of Hawaii?

Mr. MONDELL. It does. It provides that all the officers mentioned in the amendment adopted yesterday afternoon shall be citizens of the Territory of Hawaii.

Mr. KNOX. Mr. Chairman, I will state that the committee has no objection to that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

All persons holding office in the Hawaiian Islands at the time this act takes effect shall, except as herein otherwise provided, continue to hold their respective offices until such offices become vacant, but not beyond the end of the first session of the senate of the Territory of Hawaii unless reappointed as herein provided.

Mr. ROBINSON of Indiana. Mr. Chairman, I have an amendment which I wish to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out lines 8, 9, 10, 11, 12, and 13, on page 86, and insert:

"All persons holding office in the Hawaiian Islands at the time that this act takes effect shall continue to hold their respective offices until their successors are appointed and qualified, but not beyond the end of the first session of the senate of the Territory of Hawaii unless reappointed as hereinafter provided."

Mr. ROBINSON of Indiana. The only purpose of the amendment is to provide that the officers shall hold until the expiration of the first term of the senate, and, as I think, is in better language and less open to misinterpretation than the language of the bill.

Mr. KNOX. I think that is already covered by the language of the bill.

Mr. ROBINSON of Indiana. But the chairman of the committee will see that the language used in the section might be open to some misinterpretation, and it is only to prevent that that this amendment is proposed. It has been submitted to the members of the committee on the other side and is satisfactory to them.

The amendment was agreed to.

Mr. NEWLANDS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend section 80 by adding:

"It shall be the duty of the surveyor to report annually to the Department of Labor and to the governor of Hawaii and legislature, the area in acres of all holdings not less than 100 acres in extent, whether by grant, lease, or otherwise, of agricultural land in Hawaii; by whom owned or held, the character of the cultivation, the number of laborers employed on each holding, the nationality of the laborers, the daily, weekly or monthly wages paid, and such other information as the Department of Labor may prescribe. And it shall be his duty to call on all such holders of agricultural lands for such written statements as may be prescribed by the Department of Labor. Any failure to make such a statement by any person or corporation shall subject such person or corporation to a penalty of \$100 for each and every refusal; to be collected and enforced by the government of the Territory of Hawaii in the courts of Hawaii."

Mr. NEWLANDS. Mr. Chairman, the purpose of this amendment is to obtain statistical information relating to the agricultural lands in Hawaii and the labor employed upon those lands. The population of those islands consists of 60,000 Asiatics, 40,000 Kanakas, 15,000 Portuguese, and about 8,000 other whites. We can readily understand that if the entire legislation of those islands drifts into the hands of the landed class, we shall have there a republic in name only.

I take it, the purpose and aim of our legislation is to increase the immigration of free white persons to those islands; and our duty is to obtain such statistical information upon this subject as will enable us to legislate upon it intelligently hereafter. At present the labor there is mainly the labor of Asiatics. There is no reason why white labor should not be employed in those islands. The Portuguese and the Italians are excellent laborers in a climate of that kind.

We have had a large experience with both these classes of laborers upon the Pacific coast, and we have found them exceedingly efficient. Most of these people who come to this country are poorly educated, but their children under our free-school system acquire an education and become intelligent citizens, exercising the duties of citizenship consistently with the spirit of our institutions. Now, it seems to me that if we can encourage that kind of immigration and discourage Asiatic immigration, we shall march a long ways in the line of making the Hawaiian government a republic in spirit and essence as well as in form.

Of course we do not want to interfere with vested rights there. Nor do we wish to interfere ignorantly with the conduct of business there. But the purpose of this amendment is to secure this statistical information which will enable the legislature of Hawaii to act, and if it does not act wisely, will enable Congress itself to act on this subject.

Mr. WHEELER of Kentucky. Allow me to say to my friend from Nevada that if I correctly caught the reading of this amendment, I do not think that under it the government of Hawaii would be enabled to collect the penalty prescribed. Unless we shall more definitely define the violation of law and prescribe the mode of collecting the penalty, I think the surveyor might ignore this provision and there could be no recourse to the courts.

Mr. NEWLANDS. The amendment provides that the Department of Labor shall prescribe the form of statement required from those holding agricultural lands; and it is made the duty of the surveyor to exact such a statement; and any failure or refusal on the part of a holder of agricultural lands to make such a

statement subjects him to a penalty of \$100, to be collected in the courts of Hawaii by the government of Hawaii.

Mr. WHEELER of Kentucky. In my humble opinion, in order to enforce the penalty you must make it a misdemeanor or a crime to refuse to furnish this information. To say simply that a failure to return the prescribed statement shall subject the person failing to a certain penalty is so indefinite that no court would support a declaration founded upon such a provision. You must specifically define as an offense the act which the law undertakes to make punishable.

Mr. NEWLANDS. I shall be very glad to accept any amendment which the gentleman from Kentucky [Mr. WHEELER] may frame in order to make this provision more efficient. All I want is to have some provision of this kind incorporated in the bill. I have no doubt that the committee of conference, if we give them a basis of action, will shape the provision properly. Of course our amendments hastily offered here are sometimes quite crude.

Mr. KNOX. I desire to say that if I have understood correctly this amendment and its purpose, it is in the direction of securing very valuable and necessary information; and I think I may say on behalf of the committee that we have no objection whatever to its being adopted.

Mr. HITT. The gentleman from Nevada [Mr. NEWLANDS] will allow me to say that the machinery of the government now in operation in Hawaii provides for the accomplishment of the very purpose which he aims at. Anyone who cares to examine into the matter will find a synopsis of such statistics in the report of the commission and a supplemental report. But this provision will do no harm.

Mr. NEWLANDS. As I understand, it can do no harm; and in addition we shall have under its terms a report to the Department of Labor, which would be published, so that Congress will have such information to guide its action.

The question being taken on the amendment of Mr. NEWLANDS, it was adopted.

The Clerk read as follows:

CHAPTER IV. THE JUDICIARY.

SEC. 81. That the judicial power of the Territory shall be vested in one supreme court and in such inferior courts as the legislature may from time to time establish. And until the legislature shall otherwise provide, the laws of Hawaii heretofore in force concerning the several courts and their jurisdiction and procedure shall continue in force except as herein otherwise provided.

Mr. ROBINSON of Indiana. I desire to call the attention of the chairman of the committee [Mr. KNOX] to the first section, which provides that the judicial power of the Territory shall be vested in a supreme court, but there is a failure to mention the five circuit courts, which are the present establishment, and the language which follows is not sufficiently clear. If the gentleman concurs with me, I will send to the desk an amendment to insert the words "and five circuit courts."

Mr. KNOX. The general provision of law puts the Territorial judicial power into one supreme court and such inferior courts as shall be established by the legislature of Hawaii.

Mr. ROBINSON of Indiana. But I do not suppose the circuit courts would be styled inferior courts.

Mr. KNOX. Oh, yes; they have not final jurisdiction. Those courts will be established by the legislature of Hawaii.

Mr. ROBINSON of Indiana. I do not understand that a circuit court which has general jurisdiction is an inferior court under the decisions.

Mr. KNOX. This is not a United States circuit court.

Mr. ROBINSON of Indiana. That is true.

Mr. KNOX. We allow the establishment of circuit courts when we say "inferior courts."

Mr. ROBINSON of Indiana. It is thought by some that the paragraph should read:

That the judicial power of the Territory shall be vested in one supreme court and five circuit courts.

With the gentleman's consent, I will send the amendment up.

Mr. KNOX. We would not like to put the judicial power of the Territory into the hands of the circuit courts. The judicial power is put into the hands of the supreme court, and then the legislature will have the power to establish inferior courts. I think this is the language which is used with reference to every Territory.

Mr. ROBINSON of Indiana. But there are now five circuit courts.

Mr. KNOX. It is expected we shall have to have more than five within the present year.

Mr. ROBINSON of Indiana. Do you say that there is a desire to increase the number?

Mr. KNOX. It will be necessary, probably. That is the general impression.

Mr. ROBINSON of Indiana. The fear is that they will reduce the number.

Mr. KNOX. Oh, no.

Mr. ROBINSON of Indiana. Then upon the statement of the gentleman I will not offer the amendment.

Mr. BELL. I wish to suggest to the committee that we strike out the word "inferior." The gentleman from Indiana [Mr. ROBINSON] in giving the distinction between superior and inferior courts has the correct idea.

There is a long line of decisions to the effect that no court of general jurisdiction can be said to be inferior, and they make the distinction between a court of limited jurisdiction and a court of general jurisdiction.

Mr. KNOX. There is no objection to the amendment suggested by the gentleman.

Mr. BELL. I move to strike out the word "inferior."

Mr. KNOX. There is no objection to that.

Mr. LANE. Substitute the word "other."

Mr. KNOX. Yes; strike out the word "inferior" and substitute "other."

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

In section 81, line 16, strike out the word "inferior" and substitute the word "other."

Mr. BRICK. I would like to be heard upon that. If you say, "such other courts," that would give the power in the legislature to provide for other appellate courts. It might provide for that and might be so construed. It is not the intention that the legislature shall provide for any other appellate court than a supreme court; so that if you strike out the distinctive qualification of inferior courts, then it should read "such other circuit courts and inferior courts" as the legislature may establish.

Mr. ROBINSON of Indiana. I agree with the gentleman that the words "circuit courts" ought to be in there. Is that the gentleman's contention?

Mr. BRICK. Yes.

Mr. ROBINSON of Indiana. Then I hope the gentleman from Colorado [Mr. BELL] will so frame his amendment.

Mr. BRICK. That will obviate the difficulty.

Mr. ROBINSON of Indiana. I trust the gentleman from Colorado will so frame his amendment as to cover that proposition.

Mr. BELL. I have no objection. My only object was to remove a word that was subject to misconstruction.

Mr. DENNY. Why not say "such other circuit courts?"

Mr. ROBINSON of Indiana. Substitute "other circuit courts and such inferior courts."

Mr. BELL. Very well.

The CHAIRMAN. The Chair understands the gentleman to withdraw the amendment, and the gentleman from Indiana offers an amendment which the Clerk will report.

The Clerk read as follows:

After the word "such," in line 17, insert the words "other circuit courts and."

So that it will read:

That the judicial power of the Territory shall be vested in one supreme court and in such other circuit courts and inferior courts as the legislature may from time to time establish.

The amendment was agreed to.

The Clerk read as follows:

SUPREME COURT.

SEC. 82. That the supreme court shall consist of a chief justice and two associate justices, who shall be citizens of the Territory of Hawaii and shall be appointed by the President of the United States, by and with the advice and consent of the Senate of the United States, and may be removed by the President: *Provided, however,* That in case of the disqualification or absence of any justice thereof, in any cause pending before the court, on the trial and determination of said cause his place shall be filled as provided by law.

Mr. KNOX. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 86, section 82, line 23, after the word "and," insert the words "not less than."

Mr. KNOX. This section provides for a supreme court, to consist of a chief justice and two associate justices. The purpose is that there shall not be less than two associate justices.

The amendment was agreed to.

Mr. CORLISS. I should like to inquire of the gentleman in charge of the measure whether there is any limitation of the terms of the judges of that court?

Mr. LANE. That is fixed in section 80 by an amendment which was offered yesterday, fixing the term for four years.

Mr. CORLISS. The length of the judicial term is limited to four years?

Mr. LANE. Yes.

The Clerk read as follows:

DISQUALIFICATION BY RELATIONSHIP, PECUNIARY INTEREST, OR PREVIOUS JUDGMENT.

SEC. 84. That no person shall sit as a judge or juror in any case in which his relative by affinity or by consanguinity within the third degree is interested, either as a plaintiff or defendant, or in the issue of which the said judge or juror may have, either directly or through such relative, any pecuniary interest.

Mr. KNOX. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 88, section 84, line 21, add the following after the word "interest:"

"No judge shall sit on an appeal or new trial in any case in which he may have given a previous judgment."

The amendment was agreed to.

Mr. ROBINSON of Indiana. I desire to call the attention of the chairman of the committee to the next section to be read, providing for impeachments. In view of the fact that the House by a pronounced vote has provided that the President shall appoint the judges, I will ask the gentleman to give his attention to that paragraph, and will ask whether it should not be stricken out?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IMPEACHMENT.

SEC. 85. That the judges of the circuit court of the Territory shall be liable to removal from office on impeachment by the house of representatives upon any of the following grounds, namely: Any act or negligence involving moral turpitude punishable by law as an offense and committed while in office, incapacity for the due performance of official duty, or maladministration in office.

The senate shall be a court with full and sole authority to hear and determine all impeachments made by the house of representatives.

The chief justice of the supreme court shall be ex officio president of the senate in all cases of impeachment.

Previous to the trial of any impeachment the senators shall, respectively, be sworn truly and impartially to try and determine the charge in question according to law and the evidence.

The judgment of the senate, in case of the conviction of the person impeached, shall not extend further than to removal from office and disqualification to hold any place of honor, trust, or profit under the government; but the person so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment according to law.

Mr. KNOX. I think, as the circuit judges are to be appointed by the President, that they should not be subject to impeachment by the local legislature. I agree with what the gentleman says, and I move to strike out the section.

The CHAIRMAN. The gentleman from Massachusetts moves an amendment which the Clerk will report.

The Clerk read as follows:

Strike out all of section 85.

Mr. COX. I should like to call my friend's attention to the fact that we may be acting too hastily. We have conferred on the President the power to appoint the judges and the power to remove; but suppose a judge is guilty of misconduct and the President neither removes him nor takes any action in the case. I think he ought to be impeached.

Mr. ROBINSON of Indiana. I would very much sooner trust it to the President than to the Territorial organization of the legislature; and it would not do to bring them into conflict upon that line.

Mr. COX. That is all right, if you want to take it out; but you will have a judge, if he runs with the President, that is in for all time.

Mr. ROBINSON of Indiana. This was provided so the appointment could not be made by the governor of the Territory, and it would be a check.

Mr. KNOX. I can not hear a word, Mr. Chairman.

Mr. BELL. I want to ask the chairman of the committee how you get rid of the circuit judge?

Mr. KNOX. He is appointed by the governor.

Mr. BELL. He is appointed by the President; not the district judge.

Mr. KNOX. You mean the United States district judge. We have not come to that.

Mr. BELL. This is the judge of the Territory. After the governor makes the appointment, can he withdraw him?

Mr. ROBINSON of Indiana. The circuit judges are not appointed by the President.

Mr. BELL. How can you get rid of them?

Mr. KNOX. The President can remove them.

Mr. ROBINSON of Indiana. It would not do to bring in conflict the legislature and the President.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

DELEGATE TO CONGRESS.

SEC. 86. That a Delegate to the House of Representatives of the United States, to serve during each Congress, shall be elected by the voters qualified to vote for members of the house of representatives of the legislature; such

Delegate shall possess the qualifications necessary for membership of the house of representatives of the legislature of Hawaii. The times, places, and manner of holding elections shall be as fixed by law. The person having the greatest number of votes shall be declared by the governor duly elected, and a certificate shall be given accordingly. Every such Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting.

Mr. HILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike out, on page 89, from and including line 20 to and including line 9, on page 90, and insert the following:

"TERRITORIAL COMMISSIONER.

"In lieu of a Territorial Delegate, the governor may nominate and, by and with the advice and consent of the senate of the said Territory of Hawaii, appoint a commissioner of said Territory, to reside at the capital of the United States, and to represent the interests of said Territory of Hawaii in its relations with the United States. Said commissioner shall, when appointed, be a citizen and bona fide resident of said Territory; his term of office shall be two years; his salary shall be \$5,000 per annum, which, with his actual, necessary traveling expenses in coming from said Territory and returning thereto, shall be paid by the United States."

Mr. HILL. Mr. Chairman, I voted for the annexation of Hawaii. During that discussion a very remarkable speech was made by the gentleman from Missouri [Mr. CLARK] upon the annexation of Hawaii. I want to read a portion of that speech:

If we annex Hawaii and you, Mr. Speaker, should preside here twenty years hence, it may be that you will have a polyglot House, and it will be your painful duty to recognize "the gentleman from Patagonia," "the gentleman from Cuba," "the gentleman from Santo Domingo," "the gentleman from Korea," "the gentleman from Hongkong."

And so on. I will not quote further from that remarkable speech, but the quotation which I have now read, when it was uttered, was received with loud laughter and derision in this House; but it seems to me that the presentation of this bill, for a Delegate from a Territory with the small population of Hawaii, has made that speech partially fulfilled prophecy. Now, I object to a Delegate from the Hawaiian Islands to the Congress of the United States. I object to it because since the adjournment of the last session of Congress on the 4th of March, after the most careful and intelligent inquiry, I have failed to find a citizen of the United States who believes in a political union with any of these insular possessions, with the right of representation in the American Congress at this time. Therefore I move to strike it out; and I want to call the attention of the House to the successive steps that have been taken which have brought us to this position.

It was not intended or expected by the Hawaiian people when annexation was asked for with the United States that it was to be a Territory of the United States; and when the measure was presented by the distinguished chairman of the Committee on Foreign Affairs, standing in the aisle near where he is now sitting, he made a most excellent address upon that subject; but he was asked by a gentleman on the other side of the House, "What form of government do you think will be recommended for the Hawaiian Islands?" And the gentleman made this reply: "I am not prepared to answer that question; but in my judgment"—I am not giving the exact language, but the substance—"it should be made a county of the State of California or Oregon." It was with such understanding and with such expectation that I voted for the annexation of Hawaii. To-day a bill comes in here for a full-fledged Territory, asking for a right of representation by a Delegate in the American Congress.

Mr. FITZGERALD of Massachusetts. I would like to ask the gentleman a question.

Mr. HILL. I have but five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. HILL. Now, I claim the people of Hawaii themselves did not expect, neither do they now, neither did they want nor do they want now, practically universal suffrage.

Mr. MONDELL. I would like to ask the gentleman where he got his information that they do not desire it?

Mr. HILL. The Hawaiian republic was organized as a protest against Kanaka rule. I have the facts here before me.

Mr. MONDELL. What has that to do with this?

Mr. HILL. It was as a protest against Kanaka rule that Liliuokalani was deposed from the throne, and in order to control the Territory those who were looked upon as citizens of Hawaii at that time were compelled to enforce a restricted suffrage. They did it. I am not in favor of the property qualification under which that was done; but I am in favor of stopping Kanaka control over these islands, and opposed to voting to give a Kanaka representative a seat in the House of Representatives or a Kanaka representation in the House of Representatives of the American Congress.

Now, I have said they were not in favor of it themselves. Their own action is the best comment on this bill. Their manner of controlling this was by making a property qualification. The report of the Committee on Territories in the Fifty-fifth Congress says:

The amendment recommended in section 34, which prescribes the qualifications of members of the senate, strikes out the property qualification therein provided and makes the qualification that of an elector for members of the senate, which, by section 62, is the ownership of real estate of the value

of \$1,000 or the receipt of an income of \$800 for the year preceding registration. This requirement of property ownership is somewhat less than that of the constitution of the republic of Hawaii, which, by article 76, is made the ownership of real estate, above incumbrances, of the value of \$1,500, or of personal property of the value of \$3,000 above incumbrances, or the receipt of a money income of \$800 for the year preceding registration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAPRON. Mr. Chairman, I ask that the gentleman's time be extended for ten minutes.

The CHAIRMAN. The gentleman from Rhode Island asks that the time of the gentleman from Connecticut be extended for ten minutes? Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD of Massachusetts. Will the gentleman answer a question?

Mr. HILL. I will answer the gentleman.

Mr. FITZGERALD of Massachusetts. Does the gentleman believe in taxation without representation?

Mr. HILL. There are 100,000 people in the Hawaiian Islands; there are 300,000 in the District of Columbia that are taxed without representation. There are 100,000 in the Territory of Alaska to-day that are taxed without representation.

Mr. FITZGERALD of Massachusetts. But does the gentleman believe in that principle?

Mr. HILL. I believe the best government on earth to-day is that of the city of Washington in the District of Columbia.

Mr. FITZGERALD of Massachusetts. But does the gentleman believe in the principle of taxation without representation?

Mr. DRIGGS. I would like to ask the gentleman a question.

Mr. HILL. I have but ten minutes. The people of Hawaii do not ask for this. They ask for a restricted suffrage and wish to be controlled and governed by the educated and intelligent portion of the people of the islands of Hawaii.

The report further says:

The question of a property qualification of any kind for a voter or member of the senate is an important one and is calculated to excite antagonism in the United States, but such a qualification has long prevailed in Hawaii, and, as far as can be ascertained, meets the approval of the people.

Now, Mr. Chairman, what else did we do? After annexing Hawaii we sent an able and distinguished commission to those islands. They went there and examined the conditions, a commission of which the gentleman the chairman of the Committee on Foreign Affairs was a member, and came back and reported in favor of this restricted suffrage, by which the Caucasian race should have and continue in the unrestricted control of those islands. This committee has utterly ignored the recommendation of that commission which we sent to investigate the matter. That is not all; that restriction was so severe that out of 14,000 eligible voters, under the terms of this bill, the republic of Hawaii itself only allowed 2,800 to be registered—less than one-quarter—and it was absolutely necessary that they should do it, or else the Kanaka control would sweep them out of the island. Now, Mr. Chairman, that is not all.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. HILL. I can not now; perhaps I will later. Not only did the commission report in favor of this, but this very committee which now brings in this bill brought in a bill last year in favor of a restricted representation.

Mr. LITTLEFIELD. And with a property qualification.

Mr. HILL. Yes; with a property qualification; but that is a matter of no importance, because it was not put there for the purpose of a property qualification, but as the best method of preventing the Kanaka control of these islands. It was put there because there was a population there which the gentleman himself [Mr. LITTLEFIELD] likened to the tribes of Africa yesterday, which was unjust, when the question was up on the saloon amendment. It was this Kanaka control that they desired to prevent. Not only did the committees of both Houses last year make this recommendation, but the chairman of that commission, representing the chairman of the committee in the Senate, this year brought in a similar bill, and it was only for the first time since this question has been considered that this committee now brings in a bill sweeping away all restrictions and admitting to suffrage everyone in these islands who can read.

Now, what is the nationality of these people? I want to give it to you. There is a total population of 109,000, according to the census of 1896. There are of voters about 3,000 Americans, Germans, French, and English; about 3,000 Portuguese, and, according to the statement of the gentleman from Michigan, there are 9,000 Kanaka votes, so that according to his own statement on the question of elections the American, German, French, and English voters will be simply buried under a vote of 4 to 1.

The amendment I have offered proposes a commissioner appointed by the governor of the islands, who himself is appointed by the President of the United States, and makes a business proposition of what this bill, as it now stands, makes a political proposition, and it is the political feature of it that I object to.

Mr. Chairman, I do not believe that the people of the United

States are yet ready to take the first step toward statehood for these insular possessions. It may be said that it makes no difference in this respect whether this man is elected by the people of Hawaii or whether he is appointed by the appointee of the President of the United States. The sentiment is there that if you make the islands of Hawaii a full-fledged Territory, but one more step, and that a short one, is necessary to be taken under the political exigencies that might arise with either party, Republican or Democratic, that would thereby get control and help to maintain control of the United States Senate, if this island and Puerto Rico should be swept in as States in the Union. I for one am utterly opposed to taking the first step until we have more and better knowledge as to the characteristics and the peculiar traits and the capacity of these people than we possess to-day.

Now, am I right about that? I want to call attention for just a moment to the report made by this committee last year. It was not a unanimous report; the report this year is unanimous. Now, why was it not unanimous last year? Because the Democratic members on that committee said last year:

We can not agree to the majority report of the committee for the reason that it indicates an intention on their part to make a new departure from our well established custom of governing Territories. We believe that the newly acquired Territories should be governed as other Territories of the United States have been governed from the foundation of our Government, with a view that they may be ultimately admitted into the Union of States.

This year that objection is all swept away; Democrats and Republicans alike on that committee come up here and ask for the admission of Hawaii as a Territory of this Union.

Gentlemen, I want you to recall an incident which occurred here in this Chamber yesterday afternoon. To the proposition granting unrestricted suffrage to the Kanakas and the foreigners in Hawaii no opposition was made on the other side of the House; but the moment the question of the qualifications of voters comes up, the Mississippi plan, the plan of the Southern States, of restricting votes under an unrestricted representation, is again endeavored to be fastened upon this bill.

That is the proposition. I did not vote with my friend from Mississippi. I do not criticize his action. I did not so vote, because I would not attempt by a device to take away that which I was willing to grant by law. I would not vote for unrestricted, uneducated, unintelligent suffrage and then attempt to take it away by a device. I refused on that ground to vote for the proposition. I have no criticism to make upon the action of other gentlemen.

I refused on the same ground to vote for the proposition of the committee. I have no criticism to make upon the action of the gentlemen on the other side of the House. Perhaps I would do as they do, if I were in similar circumstances. I am not prepared to discuss that question; but as a New Englander who believes in a fair suffrage, an honest suffrage, an intelligent suffrage, I stand here now to say that neither in Puerto Rico, nor in the Philippines, nor in Hawaii, nor anywhere else, will I vote to put a Representative upon the floor of this House who is not elected by a constituency that knows what it is doing. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. I will take further time on the other amendment.

Mr. HITT. Mr. Chairman, the section giving Hawaii a Delegate in Congress, which is objected to, is one for the insertion of which in the bill reported by the commission I am in part responsible, as I was the sole person on the Hawaiian commission representing or in any way related to the House of Representatives. I asked on behalf of the House, as I believed its interests and the interests of Hawaii required that such a provision be inserted. The country we were providing for was of enormous wealth, of great energy, of contending interests, for which Congress would have to legislate.

I desired that in the case of this Territory, as in all instances that have preceded, we should have upon the floor of this House a representative man who was responsible, a man who could speak for those people, who could be questioned at any instant on aught that concerned them, a man who could be held accountable by the House, and who, if he stated aught that his constituents disapproved, could be visited by the reprobation of his own constituency—that public scorn which is the most dreaded punishment of public men. If Hawaii is denied a Delegate on the floor, we are certain to have here instead abundant delegates in the lobby, paid by private interests in that Territory to secure favors in legislation, as we have often seen in our experience here in other matters. [Applause.]

Mr. HILL. I should like to ask the gentleman a question at his convenience.

Mr. HITT. I have only five minutes, and then I will yield the floor to anyone else who wants to talk.

Mr. HILL. I will seek an opportunity to ask my question before the gentleman sits down.

Mr. HITT. We know that when a person is here representing special interests he is selected for experience, ability, adroitness,

plausibility. He comes here in the pay of private interests to obtain special rights and privileges, always under pretense of the public good, but always at the expense of the general community; otherwise he would not be here. We want some one here who represents all the people of the Territory. [Applause.] We want some one here who has a representative character determined by the people themselves, who choose and send him, and to whom he must answer.

The gentleman who has just spoken [Mr. HILL] feared that we would have a disreputable or incompetent representative of an inferior class—the Kanakas. Why, sir, we had here constantly for many years a representative of the Kanaka kings and queens of the purely Kanaka government. Every old member here will recall with esteem the character of the ministers from Hawaii. Mr. Allen, who for many years sat on this floor representing with distinction a district of the State of Maine, went to those islands and afterwards came back here as minister, representing the Kanaka people and his royal master, a Kanaka. He was diligent, honest, zealous, a fit representative of the population of the Hawaiian Islands.

He was followed by Mr. Carter, whom many of us knew well, a distinguished, a most honorable and excellent man; then Mr. Mott Smith. All these had the privilege of this floor. Then there was Mr. Thurston more recently, whom a great many of you knew personally; and Mr. Hatch, one of the ablest members of the bar, who was recognized here for his integrity and ability; and Mr. Hastings, whose sudden and tragic death at the White House many of us remember—these delegates were often on this floor, but without the right of speech. They were chosen, some of them by the government under white domination, some of them by the Kanaka native government; but all were fit men.

There was also a Hawaiian lobby here from time to time, but always for special selfish objects. Every member knows by experience what a lobby is, and what the aim of a lobby agent is. Whether he is a distinguished gentleman, an ex-governor, an ex-judge, or a poor hireling picked up here in Washington, he is essentially a lobby agent, paid to look after a special interest. And representing this House on the commission, I believed we ought to have here upon this floor a man whom we could question, from whom we could derive direct information, who would have a representative character, a Delegate who would be responsible to the House and to a constituency. [Applause.]

Mr. BREWER. May I interrupt the gentleman?

Mr. HITT. I will only take one moment as to the other subject which the gentleman raised.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KNOX. I move that the time of the gentleman from Illinois be extended.

Mr. HILL. I ask that the time of the gentleman from Illinois be extended to allow him to complete his remarks.

The CHAIRMAN. The request is made by several gentlemen that the time of the gentleman from Illinois be extended to conclude his remarks. Is there objection?

There was no objection.

Mr. HILL. Now, may I ask the gentleman a question?

Mr. HITT. Certainly.

Mr. HILL. Every person whose name the gentleman has mentioned was appointed, not elected—every representative of that country.

Now, I want to ask the gentleman if he does not believe that a commissioner appointed by Hawaii to the United States, to represent their business interests, appointed by the governor of Hawaii, who is himself appointed by the President of the United States, would be more likely, under that system of appointment, and that that would be a better guaranty of getting a good representative than you could have by a general vote of the people of the Hawaiian Islands?

Mr. HITT. The difference would simply be that in the one case we would have the Delegate here in our presence whom we could interrogate, and in the other a commissioner going about the Departments, corridors, and committee rooms, with no voice on this floor, reduced to the likeness of an official lobbyist.

Mr. HILL. I should like to ask just one more question, and then I will not trouble the gentleman any further. He has had a very large experience in diplomatic affairs. He is familiar with all the insular systems of the world. Does he know of a single insular government in the world, either in the system of Great Britain, France, Germany, or any other European power, that has a representative in the parliament of any of those countries?

Mr. HITT. The answer to that is ours is essentially a popular, republican, representative government, and a republic does not need always to take lessons from monarchies in the application of our own system. [Applause.]

Mr. BREWER. I want to ask the gentleman if he is willing that the people of Puerto Rico shall have a Delegate here in this House?

Mr. HITT. I will answer questions about Puerto Rico or Kamchatka and any other country when they are before the House. [Applause.] I do not want to be diverted to politics. The gentleman's question is political. I am talking now about the business that is immediately before the House.

I sympathize with much that the gentleman from Connecticut [Mr. HILL] has said in apprehension of doing something to-day that would involve statehood hereafter for Hawaii. The gentleman referred to what I said on this floor years ago about Hawaiian statehood—that I was averse to the prospect and thought well of the proposition to make it a county of California.

I am sorry to add to what I said then that upon inquiry I found in California that there would be unanimous opposition in that State to the incorporation of Hawaii, with its population of an Asiatic character; and in the Hawaiian Islands there was not a soul who ever expressed approval to me of the suggestion made here of its becoming a county of California.

Mr. HILL. May I ask the gentleman—do I understand that he wishes a population which the State of California was unwilling to accept as a county to have from us representation as a full-fledged Territory in our Congress?

Mr. HITT. Well, that is argumentative. I merely stated what the sentiment was in California. We know the Chinophobia that prevails in California, and it determined this question among Californians apparently at once. Gentlemen on the floor who represent California can contradict or confirm me.

Now, nothing that we might say to-day against Hawaiian statehood, no resolution or enactment or eloquent speech, can prevent this very Congress to-morrow or another Congress two years hence or a hundred years hence from undoing anything and everything that we now do.

We can not prevent another Congress from doing foolish or wise things. They can admit it as a State if they will. We can, after passing this bill to-day and in it passing the gentleman's proposition pledging impliedly that there shall be no statehood for Hawaii, to-morrow pass an enabling act. We can not bind our successors. We have no such faculty, no such approach to omnipotence, no command of the future. We legislate for to-day. I would gladly do anything I could to carry out the view expressed by the gentleman from Connecticut as to that part of his proposition, for I think it is at least harmless; but as to the Delegate, we want him right here on this floor. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, if the gentleman from Connecticut [Mr. HILL] thinks that he can call from me, by his references this morning, words or tone apologetic in their character, the gentleman from Connecticut is mistaken.

The laws of the United States provide that every organized Territory of the United States shall have a Delegate upon this floor.

Mr. HILL. I wish the gentleman would show that to me in the Constitution.

Mr. WILLIAMS of Mississippi. I believe the gentleman has complied with the Mississippi and Connecticut requisition for voting, and he can read for himself. [Laughter.]

Mr. HILL. That provision is not in the Constitution.

Mr. WILLIAMS of Mississippi. There is no doubt about the fact that every Territory organized as a Territory of the United States is entitled to a Delegate upon this floor, and that that Delegate is, under the laws of the United States—I will amend my statement that far, if I said Constitution, I meant laws—entitled to the same salary and the same mileage as a member of Congress and entitled to every privilege of a member of Congress, except that of voting, on this floor.

Now, Mr. Chairman, I stood here in my place and made the first Democratic speech in either House in opposition to the admission of Hawaii as a part of the United States, and I stated at that time the grounds of my opposition. I said, when discussing the admission of that country, that we must do one of two things: We must either permit it to take its part and parcel with us as an equal Territory of the United States, with the constitutional privilege of becoming, when Congress saw fit, a State of the United States, or else we must leave it outside of the United States.

I then stated upon this floor that when we were called upon to face Hawaiian problems, we should be called upon to face a colored race problem in Hawaii, and that when we were called upon to face it, we were going out of our way several thousand miles to hunt a new problem to add to other problems of that character that we already had and that were already too much for our management. Does the gentleman imagine that we of the South take any pride in the fact that we have been compelled to restrict suffrage in order to preserve civilization?

Mr. HILL. I do not. I am amazed at the fact, however, that you will vote, in insular possessions of the United States, to do the same thing over again.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the same necessity exists. I stated in the Hawaiian debate that whenever I was faced with that problem that, if I were the only Democrat in the United States to do so, I would stand for white supremacy

in Hawaii just as I had stood for it in Mississippi, and I will. The gentleman speaks of restricted suffrage, as if restricted suffrage were dishonest or unfair suffrage. He knows better. There is nobody in the United States that ought to know better than a Connecticut man about that. I do not know of a better State government in the Union to-day than that of Connecticut, with the possible exception of that of the State of Mississippi, speaking politically, and yet in the State of Connecticut the town of New Haven and other cities are represented in the State legislature, under old antediluvian charters of the kings of England, by a few representatives, and many superannuated villages are represented by two or three times as many representatives.

Mr. HENRY of Connecticut rose.

Mr. WILLIAMS of Mississippi. Now, why? The gentleman speaks of restricted suffrage and I speak of restricted representation, and the two things go together.

Mr. HILL. Will the gentleman pardon me a moment? I spoke of unrestricted representation and a restriction of votes.

Mr. WILLIAMS of Mississippi. I am speaking of that, too, and Connecticut is with unrestricted representation upon this floor, with a restricted representation in the State of Connecticut of your cities compared with your rural districts. And, by the way, that you are right in having it just as you have it I do not dispute. It is your affair, and I have nothing to do with it, and I am not quarreling with it.

Mr. HENRY of Connecticut. Will the gentleman allow me to correct him?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. HENRY of Connecticut. We have no restricted suffrage in Connecticut.

Mr. WILLIAMS of Mississippi. I am speaking of restricted representation.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. KNOX. I ask unanimous consent that the gentleman's time be extended, and that he be given such time as he desires.

The CHAIRMAN. The gentleman from Massachusetts asks that the time of the gentleman from Mississippi be extended without limit. Is there objection?

There was no objection.

Mr. WILLIAMS of Mississippi. The gentleman has misunderstood me.

Mr. HENRY of Connecticut. There is no restriction as to that. Every qualified voter may cast a vote for Representatives in Congress, for State officers, and members of the general assembly.

Mr. WILLIAMS of Mississippi. I understand you think I have said restricted suffrage. I meant restricted representation.

Mr. HENRY of Connecticut. We have unrestricted representation and we have unrestricted suffrage. Our system of representation in our State legislature is two hundred and fifty years old. We elect our Representatives in Congress by an unrestricted suffrage.

Mr. WILLIAMS of Mississippi. I know it is over two hundred years old.

Mr. HENRY of Connecticut. But everybody votes. There is no disqualification except for crime.

Mr. WILLIAMS of Mississippi. I understand the gentleman from Connecticut. But there is also in Connecticut, if I have learned its system right, an educational qualification.

Mr. Chairman, in expressing myself if I used the phrase "restricted suffrage" with regard to Connecticut, I meant to use the phrase "restricted representation." What I meant to say was that "restricted representation" is essentially the same as "restricted suffrage," and unequal representation is essentially the same thing as unequal suffrage.

Now, we might just as well be honest with one another, my friends, upon both sides of this House. Let us lay aside for a moment the fact that I am a Democrat and you are Republicans, and let us talk as men who have had forced upon us, and also in your case forced upon yourselves by your own action, a problem which we must solve, and which we must solve as wise men, as statesmen, as men with some view to the future, as men with common sense, and not merely as Republicans and as Democrats.

Now, taking that view of it, I am prepared to say that the very worst thing that can happen to the Hawaiian Islands to-day or to-morrow would be to have Kanaka rule or colored-race rule in Hawaii. I speak advisedly, not only with my own personal observation and experience, but with all history behind me. Now, then, how are you going to avoid it? You must avoid it by restricted suffrage.

I am not talking to you as Republicans or Democrats. And what sort of restricted suffrage must you have? Something which, while it is not based upon an express discrimination on account of race or color, is based upon something which actually discriminates against color and race. Else you must have Kanaka rule. Take your choice. For my part I have taken mine long since. I asked you, in God's name, to relieve me, as one of the

representatives of the American people, of this additional problem; but you annexed Hawaii.

Do you imagine that I do not recognize that the symmetry, the rounded proportions of a Democratic system are marred by the necessity of a restricted or qualified suffrage, even though the end and purpose, the aim and object, be the preservation of civilization itself? No wonder California did not want Hawaii as a county in California and part of it. Why? Because California has had some little experience with race problems, too.

Soon after I came to the Congress of the United States I said to the Representatives of California and the Pacific slope, from my place upon this floor, that I was willing to leave to the white people of the Pacific slope the business of attending to their Chinese race problem, and was willing to vote with them with that aim in any measure they desired enacted here—believing that, while they had the strength of a giant, they would not be brutish or foolish enough to use it like a giant; and that I arrogated to myself and my own people the claim that, when faced with a problem of the same kind, we would not use the power intrusted by circumstances to us with the force of brutish giants.

I say now, as I said then, that it is the duty of the white race everywhere to lift up those below them so far as they can, but that there is no injunction in sacred or in human law calling upon me or calling upon you to "herd with narrow foreheads, ignorant of our race's gains." They will progress as time passes, and so will we; and as we mount one rung higher on the ladder of civilization we will hold our hands down to them and raise them to the rung next below. I have no idea on my own part that they will ever be on the same rung; and I have no hypocrisy about it.

Now, then, having taken the position that there must be restricted suffrage in Hawaii, I come to the question of whether representation ought to be restricted. It ought not. Why, it is bad enough to be compelled by the exigencies of the situation to deprive the people there of an equal partnership in the destinies of their own country. For remember that it is not a problem of governing a white man's country with white supremacy, as it is here, but there you have carried yourselves over to a colored man's country. You have superimposed yourselves there until as a matter of necessity you must now govern them in accordance with your ideas, and your ideas are those of Caucasian civilization.

It is bad enough to be compelled by the exigency of the situation, I say, to restrict the suffrage. It would be absolutely mean to deprive them of a representation, merely by speech in your presence; to refuse even the poor right of petition to somebody standing here speaking for these people, saying, as such an one will have the right to say, "I represent not only the white people of Hawaii, but I represent Hawaii. I know the conditions of whites and Kanakas alike and have authority of knowledge to call your attention to them."

Why, does the gentleman imagine that because New Haven has not a proper representation in the Connecticut legislature that therefore New Haven ought to have no representation in the Connecticut legislature at all?

Mr. HILL. I will answer the gentleman that he fails to comprehend the state of representation in the State of Connecticut.

Mr. WILLIAMS of Mississippi. How many representatives has the city of New Haven?

Mr. HILL. We have two representatives. The senate is the popular body in the State of Connecticut, and the house of representatives is the representation of towns. It is precisely the reverse of the Congress of the United States, and when the gentleman makes the statement that there is no popular body in the general assembly in the State of Connecticut, he states that which gives a false impression; and I will say further, that if there are any inequalities in the popular body it is due to Democratic legislation.

Mr. WILLIAMS of Mississippi. I have not made the statement that there is no popular body in your general assembly, but I do state that your general assembly as a whole is not a body of either popular or equal representation. I am not quarreling with the fact that Connecticut manages her own affairs to suit herself. I think as a rule she has managed them wisely and well. I differ with the gentleman in politics, but I do believe that Connecticut has had one of the most honest and one of the most incorrupt State governments in the nation, mainly owing to the fact, perhaps, that her rural vote and country gentlemen have dominated her politics.

Understand me, I am not quarreling about that, but I am merely illustrating the idea that you, of all men, can not stand upon this floor and contend for the idea that the people ought to have no representation, because you are unwilling to give your own people equal representation.

Mr. SPERRY. Mr. Chairman—

Mr. WILLIAMS of Mississippi. I will yield to the gentleman.

Mr. SPERRY. Mr. Chairman, as my distinguished friend from

Mississippi has alluded to Connecticut and to New Haven, I wish to say this in reference to that matter. The State of Connecticut was organized on a different plan from any other State in the nation—

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. I do not want to seem to be in the slightest degree discourteous. The gentleman knows that it has always been my habit to yield whenever interrupted, and I thought I was yielding to the gentleman for a question.

Mr. SPERRY. No, sir; I rose for the purpose of making some remarks.

Mr. WILLIAMS of Mississippi. I can not yield for that purpose. The gentleman can get time of the House subsequently. I can not yield for the purpose of allowing him to inject a speech into my remarks.

Now, Mr. Chairman, either Hawaii is a part of the United States or Hawaii is not a part of the United States. Gentlemen have contended in the case of the Philippine Islands and Puerto Rico, which are in military occupancy and which were taken by conquest, that they are not a part of the United States until Congress expressly declares them to be. But that contention, sound or unsound, can not have sway in the case of Hawaii, because Hawaii was admitted into the Union by her own petition, upon her own request, and by our consent. She has become a part of the United States. Whatever the constitutional situation may be or may not be in connection with the Philippines and Puerto Rico, based upon the idea that they are in military occupancy, that sort of argument can not apply to Hawaii.

Now, then, if Hawaii is a part of the United States, she is entitled to all the rights of every other Territory in the United States, and one of those rights is to be represented, by the power of speech at any rate, upon this floor. [Applause.] Now, I thank the House for its courtesy and attention and for waiving in my behalf its rule of procedure for the moment.

Mr. HILL. Will the gentleman answer me a question? How about Alaska and the District of Columbia?

Mr. WILLIAMS of Mississippi. I would to-morrow organize a Territorial government for Alaska, and give Alaska a representative upon this floor, and it ought to be done at the very earliest practicable moment. I would do the same thing for the District of Columbia, and in both cases I would have a restricted suffrage. [Applause.]

Mr. KNOX. Mr. Chairman, the debate on this matter has been exhausted, and I ask for a vote.

Mr. CLARK of Missouri. Mr. Chairman, I would like to make a remark or two, by unanimous consent.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may have five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Now, Mr. Chairman, originally I was opposed to taking in the Sandwich Islands.

Mr. KNOX. Will the gentleman from Missouri pardon me a suggestion? I will not take up any of his time.

Mr. CLARK of Missouri. Yes.

Mr. KNOX. Mr. Chairman, I move that the debate on this section close with six minutes to the gentleman from Missouri and five minutes to the gentleman from Connecticut.

Mr. CLARK of Missouri. I wish you would make it ten. I may not be able to close my remarks in six minutes.

Mr. KNOX. Ten minutes to the gentleman from Missouri and five minutes to the gentleman from Connecticut [Mr. SPERRY].

The CHAIRMAN. The gentleman from Massachusetts moves that the debate on this section be closed at the expiration of fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Mr. Chairman, originally I was opposed to taking in the Sandwich Islands. If that were still an open question, I would be just as much opposed to it as ever, but the incident of annexation is closed. We have them for better or for worse, and it is our duty both to ourselves and to them to do the best we can in a difficult situation.

Therefore I am in favor of giving these people a Delegate upon this floor of the character they see fit to send hither to explain their situation and their wants. If they wish to send a white man, all well and good. I hope they will. If they want to send a Kanaka—if that is the proper name—all well and good. That is their business, not ours.

I am testotally opposed to any portion of the people of the United States being taxed without having representation. That is the principle for which we waged the Revolutionary war, and it was well worth fighting for. Now, I wish to reenforce what my friend from Mississippi [Mr. WILLIAMS] said. It does not lie in the mouth of the people of New England to come here and taunt Southerners about their methods of running elections.

In Missouri every man, great or small, rich or poor, white or black, has the right to vote once and to have his vote counted; but I am a Southern man in feeling and in thought, and I know that

what they do down there they do under an impulse of self-preservation too strong to be resisted.

The gentleman from Connecticut [Mr. HILL] quoted approvingly part of my speech, delivered here in the summer of 1898, against the annexation of the Hawaiian Islands. He describes it as "a remarkable and prophetic speech." I am obliged to him for his flattering indorsement; I wish he had quoted it all. I am willing to rest my fame not only as an orator but as a prophet upon that speech. [Laughter.]

The same gentleman asks: "Do you want a Congressional Delegate from the District of Columbia?" Nobody has yet answered his query, so I will proceed to do so myself. Yes: I want a Delegate in Congress from the District of Columbia. Not only that, but I introduced a bill in the last Congress, also one in this, erecting this District into a Territory and reenfranchising the people thereof, conferring upon them the right of self-government, and authorizing them, inter alia, to elect a common council and a Delegate to this House; but I have never been able to get a report on the bill.

In the next Congress the Democrats will have the House, and I will have a favorable report on that bill or worry the committee into insanity or the apoplexy. [Laughter.]

Mr. HILL. Why did you not present and urge your bill when your party had the House?

Mr. CLARK of Missouri. Because I was a green hand in Congressional legislation; but I am "green" in that respect no longer.

I will print my bill as part of my remarks, so as to set members to thinking seriously about it. Here it is:

A bill to create a Territory of the District of Columbia by the name of the Territory of Columbia and to grant Territorial government to the same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia is hereby created a Territory by the name of the Territory of Columbia.

SEC. 2. That all male citizens of said Territory over 21 years of age, who have not been convicted of a felony and who have resided within said District one whole year prior to the first Tuesday after the first Monday of November, A. D. 1900, are qualified electors to vote for all Territorial officers and upon all Territorial questions.

SEC. 3. That the existing District government shall continue until January 1, 1901, and the laws now in force shall continue in force until changed or repealed by the Territorial legislature.

SEC. 4. That prior to January 1, 1901, the President of the United States shall appoint a governor, secretary, and marshal for said Territory from among the qualified voters thereof, who shall hold their offices for a term of four years from said 1st day of January, A. D. 1901, unless sooner removed for good and sufficient cause.

SEC. 5. That the legislature of said Territory shall consist of a senate and house of representatives. The senate shall be composed of 11 members, who shall be qualified voters of said Territory at least 30 years of age, whose term shall be four years. The house shall be composed of 22 members, who shall be qualified voters at least 25 years old, and whose term shall be two years.

SEC. 6. That the said Territory shall be entitled to a Delegate to the House of Representatives in the Congress of the United States.

SEC. 7. That it shall be the duty of the present Commissioners of the District forthwith to divide the said Territory into 11 legislative districts, as nearly equal in population as possible, each of which shall be entitled to 1 senator and 2 representatives in the Territorial legislature.

SEC. 8. That on the first Tuesday after the first Monday in November, 1900, an election shall be held within said Territory for the purpose of electing senators and representatives in said Territorial legislature and a Delegate to the Congress of the United States.

SEC. 9. That it is hereby made the duty of said Commissioners to provide polling booths, poll books, tally sheets, printed ballots, and other appliances necessary for said election, and to appoint judges and clerks for the same in such numbers as to them shall seem best: *Provided, however*, That not more than one-half of such judges and clerks shall be appointed from one political party.

SEC. 10. That election returns shall be certified to said Commissioners, and they shall canvass the same and issue certificates of election to those elected.

SEC. 11. That each house of said legislature shall be the sole judge of the election and qualifications of its members.

SEC. 12. That at high noon January 1, 1901, both houses of said legislature shall meet at places prepared by said Commissioners and shall organize for business by electing such officers as shall be necessary, and may continue in session for ninety days and no more.

SEC. 13. That senators and representatives in said legislature shall receive \$10 per day during the session, to be paid out of the revenues of said Territory.

SEC. 14. That said legislature shall have power to enact all necessary laws, to levy taxes, to disburse the revenues, to do all things usually done by Territorial legislatures, and to provide for the election and appointment of all subordinate officers and to fix their compensation.

Last Saturday night, while delivering a lecture before the faculty and students of the University of Michigan, at Ann Arbor, I received a telegraphic order from Senator JAMES K. JONES, of Arkansas, chairman of the Democratic national committee, directing me to go to Rhode Island and make two Democratic speeches. I went, and I learned a great deal.

I found a state of affairs which utterly amazed me. They have such an outrageous apportionment there that the great city of Providence has only 1 State senator out of 37 and 12 representatives out of 72 in the lower house of the legislature.

Ex-Governor Davis told me of some town with only 267 voters which elects a senator.

Mr. CAPRON. Will the gentleman allow me?

Mr. CLARK of Missouri. I yield for a question only.

Mr. CAPRON. What the gentleman speaks of is the result of a provision of our State constitution which we have attempted

several times to change, but our efforts have been defeated by the Democrats.

Mr. CLARK of Missouri. I will tell you about that, too, a little later on.

Mr. CAPRON. That was repealed years ago.

Mr. CLARK of Missouri. Wait; I am making this speech. I yielded for a question; not for a speech.

Governor Davis stated further that under the present unfair and un-American arrangement it could be shown by mathematical demonstration that about 36,000 people out of over 400,000 elect a majority of both branches of the legislature, and thereby absolutely control the political affairs of the State.

Yet, we hear loud lamentations about unfair election laws in the South.

In Rhode Island they still have that relic of barbarism known as a "property qualification."

If a man owns \$134 worth of real estate, he is a voter for all purposes.

If he does not own that much realty, but owns and pays taxes on \$134 worth of personal property, he is a voter for all purposes.

The almighty dollar and not intelligence is the qualification for full suffrage.

Then they have what they call registered voters, who are voters for certain purposes and are not voters for certain other purposes.

Yet we hear a great deal of hypocritical whining about the suppression of voters down South.

I commend to these philanthropic doctors the Scripture, which says, "Physician, heal thyself."

Under this outrageous Rhode Island apportionment for legislative purposes the Democrats would have to carry the State by 25,000 or 30,000 majority in order to have a majority on joint ballot in the legislature, whereby they could elect a Senator of the United States, and by a much larger majority in order to control both houses of the State legislature.

I was told by Mr. Green, chairman of the State Democratic committee, that the Republican supreme court judges had given the Republican governor an opinion to the effect that there is no power lodged anywhere to authorize the people of Rhode Island to hold a constitutional convention to frame a new constitution to cure this outrageous apportionment and other ills and oppressions from which the people of Rhode Island now suffer!

The only way they can secure a constitutional convention to form a new constitution is first to submit and adopt an amendment authorizing the calling of such a convention!

Here is the peculiar modus operandi of adopting a constitutional amendment: The proposed amendment must be passed by a majority of each house of two different legislatures and then be adopted at the polls!

As the little towns now elect a large majority of each house of the legislature, and as such amendment would deprive the small towns of a large portion of their present unjust power and unfair representation, the chances are that no such amendment can be passed through each house of two succeeding legislatures. It looks like nothing short of a revolution would give Republican Rhode Island a fair and modern system of voting—such as we have in Democratic Missouri.

I was told that in the city of Woonsocket 400 men begged the assessor to put them on the tax list, offering to swear and to prove that they possessed the \$134 of property necessary to entitle them to vote under Rhode Island's medieval constitution. The assessor, who was a Republican, refused to put them on the tax list. They were Democrats and undertook to mandamus the assessor and compel him to do so, but the judge, a Republican, decided that they were too late in their application, as the tax lists had already been made up! [Laughter.]

The next time they endeavored to compel the assessor by mandamus to put them on before he completed his lists; but the judge decided that the assessor was not required to put them on on any particular day of the designated time, and that he might intend to put them on the next day or the next, and again denied them the prayer of their petition—the right to be taxed and to vote. Once they were too late. Next time they were too early. [Laughter.]

I guess that that is the only instance in the entire history of the human race where men asked, begged, and instituted a lawsuit to be permitted to be taxed.

The gentleman from Connecticut says that the government of the District of Columbia, where nobody can vote, is a model government—the best in the United States, as I understood him. I deny that proposition. It is a carpetbag government, for the most part. I am not criticising the individuals who compose it. They may be good and efficient men, or they may be the reverse; but the people who fill the District of Columbia offices—not the Federal offices, but the local offices—ought to be bona fide citizens of the District and not broken-down politicians from the States fastened upon this people to eat up their substance.

Congress sits here two days in the week as a common council

for the city of Washington—a duty for which it is unfit by reason of ignorance of the wants of the people and of the proper relation of one thing to another.

The fact that under the shadow of the nation's Capitol 300,000 American citizens, white and black, are completely disfranchised, not permitted to vote on any proposition under the sun, are reduced to the low estate of being the nation's wards, have no more voice in the government under which they live than have the inhabitants of Africa, is the saddest commentary to be found anywhere on the theory of representative government.

Why should they not vote? It is a manly, invigorating exercise. I would like to be here the day they elect the first Delegate to Congress. It would double discount a Donnybrook fair. There would be 300 candidates at least. [Laughter.]

During the Fifty-third Congress there was to be a meeting downtown to agitate for the restoration of self-government. I was invited to speak. I accepted the invitation. It was so announced in some of the papers. A delegation composed of Democrats and Republicans waited on me to protest. I asked them why the people of the District should not enjoy the right of suffrage. A Republican answered: "The damned niggers and poor whites would vote us into bankruptcy!"

A MEMBER. Do you say that a Republican said "damned niggers?"

Mr. CLARK of Missouri. Yes; I was told by one who claimed to know that he was a Republican.

It appears to me that it is rather late in our history to give color to the absurd and unjust proposition that a poor white is not fit to vote by disfranchising a whole populous city and district.

The refusal of the right of suffrage to the people of this District turns back the hands of the clock more than a century. It is a dangerous performance, because the plan may be copied in some other part of the Union and in every other part. It is an open confession in the face of the world that pro tanto our experiment in representative government is a failure.

I want to say here and now that if a colored man is good enough to vote in the Ninth Congressional district of Missouri, he is good enough to vote in the District of Columbia and to say how his taxes shall be levied and disbursed—to take a hand in running his own government.

I am not in favor of making an experimental governmental political station of the Sandwich Islands, as you are making one out of the District of Columbia. The truth is that for sixty years every bad piece of legislation that Congress wanted to adopt was first tried on the helpless people of this District.

If it did not destroy them, then they extended the experiment to the rest of us. [Laughter.] I agree fully with my distinguished friend from Illinois [Mr. HITT] that we can not bind the future. I wanted to bind the future when we annexed the Hawaiian Islands. We can not bind future Congresses by saying that we will not make a State out of them; but we can say that those people, being ours now, shall have a chance to educate themselves in the difficult art of self-government, and that we will not treat them in the outrageous manner in which we treat the people of this District.

I want to say further that every time we take in a new island, so far as I am concerned, you will have to extend to it the Constitution of the United States and the liberties that we enjoy. [Applause.]

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] asks unanimous consent to print as a part of his remarks the bill in regard to the District of Columbia and to extend his remarks in the RECORD. Without objection, it will be so ordered.

There was no objection.

Mr. SPERRY. Mr. Chairman, I should not arise at this time to say anything concerning this matter, but I want to set one thing right which has been said by the gentleman from Mississippi [Mr. WILLIAMS] about the State of Connecticut.

The State of Connecticut has been alluded to here, and so has the city of New Haven. When the State of Connecticut was formed, it was formed of the little towns which made up the State. Those little towns were unlike any other towns that I know of in the United States. Those little towns were little republics of themselves, and when the constitution of 1818 was formed a provision was inserted in the preamble that all the rights, privileges, and immunities which the people of Connecticut had received from their ancestors were vouchsafed to them under the new constitution, besides all of the original towns were given two representatives.

Now, some towns have increased largely in population. At the time our constitution was formed the towns were substantially equal in population. There was but little difference; but since then a town here and there has arisen, like New Haven, like Hartford, like the towns up through the valley of Naugatuck. Those towns have increased, but the original towns have their two representatives in the general assembly. The small original towns which have not greatly increased in population still have their

two representatives. It is a constitutional provision; it is a right which they received from their ancestors, and the reason why the representation is not changed in Connecticut to-day is as I have stated. The city of New Haven has 125,000 population, and the city of Hartford probably 80,000, but they are only entitled to two representatives under the constitution.

Now, we should not care to change places with the other towns in the State. New Haven has grown, and Hartford has grown, and yet they have only their two representatives. Now, when an attempt is made to amend the constitution, or if an amendment is offered to the constitution, the little towns largely outnumber the large towns, and the little towns are jealous of their rights, for which I do not blame them, and they do not propose to give to the cities any more representation in the general assembly than they originally had, to wit, two from each town, and only two. That is the situation in Connecticut, and I thought it was but right that I should have you understand our position, and how we have come into the situation that we are in, and how it is impossible, in my judgment, to change that system of representation. Yet the good old State of Connecticut has a history that she may well be proud of. Connecticut was the first State to give civil liberty to man by a written constitution. The Newman barn constitution at New Haven, and the Hartford, Windsor, and Wethersfield constitution will remain for all time a monument to the judgment, the wisdom, and the patriotism of the early settlers of Connecticut. [Great applause.]

Mr. KNOX. I ask for a vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Connecticut.

The amendment was rejected.

The Clerk read as follows:

FEDERAL COURT.

SEC. 87. That a judicial district of the United States is established for the Territory of Hawaii, to be called the district of Hawaii, which shall be included in the ninth judicial circuit of the United States. The President of the United States, by and with the advice and consent of the Senate of the United States, shall appoint a district judge, a district attorney, and a marshal of the United States for the said district. The district court for the said district shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizable in a circuit court, and shall proceed therein in the same manner as a circuit court. The laws of the United States relating to appeals, writs of error, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii. Regular terms of said courts shall be held at Honolulu on the second Monday in April and October and at Hilo on the last Wednesday in January of each year; and special terms may be held at such times and places in said district as the said judge may deem expedient.

Mr. LANE. Mr. Chairman, I have an amendment to that section which I wish to offer.

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Section 87, page 91, line 7, add the following:

"The said district judge shall appoint a clerk for said court at a salary of \$3,000 per annum, and shall appoint a reporter of said court at a salary of \$1,200 per annum."

The amendment was agreed to.

Mr. ROBINSON of Indiana. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Indiana offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out section 87 and insert the following:

"FEDERAL COURT.

"That there shall be established in said Territory a district court to consist of one judge, who shall reside therein and be called the district judge. The President of the United States, by and with the advice and consent of the Senate, shall appoint a district judge, a district attorney, and a marshal of the United States for the said district, and said judge, attorney, and marshal shall hold office for six years unless sooner removed by the President. Said court shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizable in a circuit court of the United States, and shall proceed therein in the same manner as a circuit court, and said judge shall have and exercise in the Territory of Hawaii all the powers conferred by the laws of the United States upon the judges of district and circuit courts of the United States. Writs of error and appeals from said district court shall be had and allowed to the circuit court of appeals in the Ninth judicial circuit in the same manner as writs of error and appeals are allowed from circuit courts to circuit courts of appeals as provided by law, and the laws of the United States relating to juries and jury trials shall be applicable to said district court. The laws of the United States relating to appeals, writs of error, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii. Regular terms of said court shall be held at Honolulu on the second Monday in April and October and at Hilo on the last Wednesday in January of each year; and special terms may be held at such times and places in said district as the said judge may deem expedient."

Mr. ROBINSON of Indiana. I will state to the chairman of the committee and to the members of the House that this provision is a Senate provision. I desire to call the attention of members to the further fact that by the section read in the House bill no term is fixed for the judge, the marshal, or the district attorney, nor is any reference made as to how long they shall hold.

Mr. KNOX. The court established by the House bill is a constitutional court, and the terms of its officers are regulated by law—the judge for life and the marshal for four years.

Mr. ROBINSON of Indiana. The Senate provision is to limit the terms of these three officers to six years. I think that accords with the vote of the House the other day in limiting the terms of the circuit judges to four years. There has been a theory that these officers ought to hold for a long time. In my judgment, we ought to limit the time. The amendment I offer, which is a Senate provision, limits the term of each of these officers to six years. The Senate provision also says that they shall reside in the Territory. That provision is absent in the section that I desire to have stricken out.

This provision was well considered by the Senate, and in my judgment, after carefully looking over both sections, the Senate provision which I have offered as an amendment is the better of the two.

Mr. KNOX. Mr. Chairman, the gentleman does not seem to take in the broad distinction which there is in the bill of the House from that of the Senate bill. He picks out different items without considering the broad distinction. The Senate creates a legislative court under the general power of the Constitution that Congress has authority to regulate and provide for the Territory and other property of the United States. If I may be permitted to refer to the discussion in the Senate, it turned, not upon the wisdom or desirability of a Federal court, but upon the constitutional power of Congress to create a Federal court in a Territory. Now, this provides for a Federal court, a constitutional court. If it is a constitutional court, then the tenure of its officers is regulated by the Constitution, and there is no power in this House to change it. If, on the other hand, it is changed and made a legislative court, then, of course, all its provisions are entirely within the jurisdiction of the House to change.

Now, the desirability of establishing a constitutional court is for the purpose of entirely separating the local and Territorial litigation from the Federal litigation. We make a Federal court having strictly Federal jurisdiction, from which appeals and writs of error lie to the Supreme Court and circuit court of appeals. The Senate, on the other hand, creates a district court with some Federal jurisdiction, at the same time providing that appeals and writs of error from the supreme court of the Territory shall lie to the Ninth judicial circuit. We have there a court of mixed jurisdiction, from which confusion will inevitably result. A great deal of time was spent upon the consideration of this provision and the House provision was unanimously agreed to by the committee.

Let me suggest that we will have trouble if we legislate according to the gentleman's provision. Suppose a judge is sick and that he has to go away; perhaps the President would not like to remove him, and, not being a constitutional court, the judge of the district of California could not go there to preside. I think the only fear that there was when this question was first mooted among lawyers as to Hawaii courts and the establishment of a Federal court in the Territory has passed away upon reflection and consultation, and it is for the benefit of Hawaii as a Territory that this jurisdiction be kept separate, and that they have a regular Federal court of Hawaii.

Mr. ROBINSON of Indiana. The suggestion of the amendment is that they might have an appeal to the Ninth or California district.

Mr. KNOX. Of course it does, and if that court is established they may appeal from the supreme court of the Territory, because you have a double jurisdiction. It is our purpose to entirely separate them; and I would say to the gentleman that if there is any doubt about the constitutionality of this question in conference, why, then, of course, a special provision will be adopted. I wish that the gentleman would not offer the amendment.

Mr. ROBINSON of Indiana. Upon the suggestion that this matter will go into conference anyway, I will not insist upon it.

The CHAIRMAN. The amendment is withdrawn.

Mr. LANE. What about my amendment?

The CHAIRMAN. It is adopted.

The Clerk read as follows:

SEC. 92. That the public property ceded and transferred to the United States by the republic of Hawaii under the joint resolution of annexation, approved July 7, 1898, shall be and remain in the possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it, at its own expense, until otherwise provided for by Congress, or taken for the uses and purposes of the United States by direction of the President or of the governor of Hawaii.

Mr. KNOX. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 93, section 92, line 2, add the following:

"And all moneys in the Hawaiian treasury and all the revenues and other property acquired by the republic of Hawaii since said cession shall be and remain the property of the Territory of Hawaii."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 93. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, \$5,000; the secretary of

the Territory, \$3,000; the United States district judge, \$5,000; the United States marshal, \$2,000; the United States district attorney, \$2,000. And the governor shall receive annually, in addition to his salary, the sum of \$500 for stationery, postage, and incidentals; also his traveling expenses while absent from the capital on official business, and the sum of \$2,000 annually for his private secretary.

Mr. KNOX. Mr. Chairman, I have an amendment I desire to offer to that section.

The Clerk read as follows:

On page 93, section 93, in line 6, after the word "dollars," add the words "and the chief justice of the supreme court of the Territory, \$5,500, and associate justices, \$5,000."

The question was taken, and the amendment was agreed to.

Mr. ROBINSON of Indiana. I offer an amendment to follow the last amendment. I would like to have the attention of the gentleman from Massachusetts to this amendment.

The Clerk read as follows:

Add, after the word "judge" of the last amendment, "salaries of the said chief justice and associates of the supreme court and the judges of the circuit court, as above provided for, shall be paid by the Territory of Hawaii."

Mr. ROBINSON of Indiana. That provides that the salaries of the United States courts, the stenographer, and clerk shall be paid by the United States, and the salaries of the Territorial judges shall be paid by the Territory of Hawaii.

Mr. KNOX. What salaries?

Mr. ROBINSON of Indiana. The salaries of the Territorial judges shall be paid by the Territory.

Mr. KNOX. The circuit court judges?

Mr. ROBINSON of Indiana. And the judges of the supreme court of Hawaii.

Mr. KNOX. Well.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

PROCEEDINGS FOR OPENING FISHERIES TO CITIZENS.

SEC. 97. That any person who claims a private right to any such fishery shall, within two years after the taking effect of this act, file his petition in a circuit court of the Territory of Hawaii, setting forth his claim to such fishing right, service of which petition shall be made upon the attorney-general, who shall conduct the case for the Territory, and such case shall be conducted as an ordinary action at law.

That if such fishing right be established, the governor of the Territory of Hawaii may proceed, in a manner provided by law for the condemnation of property for public use, to condemn such private right of fishing to the use of the citizens of the United States upon making just compensation, which compensation, when lawfully ascertained, shall be paid out of any money in the treasury of the Territory of Hawaii not otherwise appropriated.

Mr. GILBERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amend section 97 by striking out the last five words, to wit—

Mr. GILBERT. Mr. Chairman, I withdraw it. There was a break in the section. When I drafted the amendment it occurred to me that that was not the section. What I meant to offer as an amendment is this: In line 23, section 97, the last five words are, "an ordinary action at law." I want to insert in lieu of those words "ordinary actions at law or in equity." The committee seem to assume that—

The CHAIRMAN. The gentleman will please suspend and send the amendment to the desk. It will then be reported to the committee.

The Clerk read as follows:

Amend section 97 by striking out the last five words in line 23, to wit, "an ordinary action at law," and substitute these words: "ordinary actions at law or in equity."

Mr. GILBERT. Now, Mr. Chairman, as I said, the amendment is not very material, but it ought to be inserted, because the report of the committee seems to assume that in settling controversies in the court upon questions of that sort it is always a purely legal issue. Lawyers know that that sort of question is very frequently by equity suit, and it ought to be ordinary actions at law and actions in equity.

Mr. FINLEY. Will the gentleman permit me to ask him a question?

Mr. GILBERT. Certainly.

Mr. FINLEY. If I understood the gentleman's amendment, it is this: If in the settlement of property rights condemnation proceedings were necessary, it should be in courts of law or in courts of equity. Is that correct?

Mr. GILBERT. It is.

Mr. FINLEY. I would like to ask the gentleman this question: Does he not think that the provision of the Constitution of the United States providing that no property shall be taken for public use without due process of law means a trial by jury, and therefore is an action at law?

Mr. GILBERT. In the Kentucky practice in a proceeding for the condemnation of property for public uses we do not necessarily have a jury. I think this means process by due course of law in the courts. We do not necessarily have a jury trial.

Mr. KNOX. I wish to say that this question does not deal with the right but with the method of procedure. Some method of procedure must be provided, in the same way as taking lands for a public highway. When you condemn property for a public use

and compensation is made according to a certain method of procedure, we provide the method by which it shall be done, the same as an action at law. If you include equity in it, then no method of procedure is provided.

Mr. GILBERT. The gentleman does not catch the force of my amendment. The bill restricts the procedure to common-law cases. By the terms of your bill the vested right is destroyed unless the party can vindicate it in court by a common-law issue, by a trial by ordinary proceedings at common law. Now, by this amendment I merely broaden the rights of the man who is claiming the vested right, so that if he can show the courts that he has a vested right in the property, as the issue is an equitable one, he can maintain it. His right to property is none the less if it is an equitable one, but upon the terms of this bill he is confined to a common-law action as contradistinguished from an equitable proceeding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. GILBERT].

The amendment was disagreed to.

Mr. KNOX. Mr. Chairman, I have an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

On page 94, section 97, line 34, strike out the words "the governor" and insert in lieu thereof "the attorney-general."

The amendment was agreed to.

Mr. ROBINSON of Indiana. Mr. Chairman, I will ask unanimous consent to return to the amendment adopted on the question of salaries of judges being paid by the Territory of Hawaii, and ask to add an amendment.

Mr. KNOX. What section is it?

Mr. ROBINSON of Indiana. I will ask the Clerk to read the original amendment.

The Clerk read as follows:

The salaries of said chief justice and associate justices of the supreme court and the judges of the circuit court as above provided shall be paid by the Territory of Hawaii.

Mr. ROBINSON of Indiana. That was the amendment adopted. Now, I propose an amendment to that.

The CHAIRMAN. The gentleman asks unanimous consent to return to section 93 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

The judges of the circuit courts, of whom the two judges for the first circuit shall each receive an annual salary of \$4,000, and the judges for the second, third, fourth, and fifth circuits, respectively, an annual salary of \$3,000 each.

The amendment was disagreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 99. That all vessels carrying Hawaiian registers, permanent or temporary, on August 12, 1898, together with the following-named vessels claiming Hawaiian register, *Star of France*, *Euterpe*, *Star of Russia*, *Falls of Clyde*, and *Wilcott*, shall be entitled to be registered as American vessels, with the benefits and privileges appertaining thereto.

Mr. GROSVENOR. Mr. Chairman, I want to hear from the chairman of the committee some explanation of this section of the bill, which, in my judgment, ought not to be in the bill at all, because of the superior jurisdiction of the maritime laws of the United States over the Territorial law, and particularly because of certain dangerous provisions in the bill, or rather the lack of a careful provision, in my judgment.

Mr. KNOX. Mr. Chairman, this section provides that Hawaiian ships—ships that had a Hawaiian register at the time of annexation—are given a United States register. They could have no other register; they would be sailing without a flag and without a nationality. The Hawaiian flag went down upon the government building in Hawaii on August 12, 1898, and the American flag was raised with proper ceremonies. No flag of Hawaii from that moment means anything, and a vessel sailing under a Hawaiian flag is sailing under no flag and no nationality.

Now, there were brought to the attention of the committee by many gentlemen claims that there were other vessels than those which had a Hawaiian register that were entitled to a Hawaiian register upon this ground; that they had been bought in good faith by Hawaiians and intended for a Hawaiian register, but sailing under a temporary register, or sea letter, and without any notice of this transfer of sovereignty or of the annexation resolution. Now, if that were so, then they should be entitled to the benefits of this register; but there were statements made that there were very many vessels that would claim the benefit of this American register, and you can see that it would be a matter of thousands of dollars in the pockets of anyone who could obtain an American register by claiming that they were purchased and intended for a Hawaiian register.

So the committee, fearing the result of a general provision, and the number who would claim that they owned vessels intended

for a Hawaiian register, heard and voted upon the particular cases presented in order to determine as a question of fact whether these vessels were purchased in good faith, purchased without the knowledge of a transfer of Hawaii to the United States. And the committee, having heard these cases, named these vessels in this section, so that there might be no mistake whatever, and no claim made hereafter by men seeking to get in and get a United States register by claiming that they were intended for the Hawaiian register.

Mr. GROSVENOR. Mr. Chairman, I move to amend by inserting, after the word "eight," in line 5 of section 99, these words:

And which were owned bona fide by citizens of the United States or citizens of Hawaii.

Mr. Chairman—

Mr. KNOX. I make no objection to that amendment.

Mr. GROSVENOR. But I want to say a few words upon it.

Mr. KNOX. All right.

Mr. GROSVENOR. This provision of the bill is an attempt to legislate about matters that do not belong to any Territorial organization; but to that I shall not make any strong objection. A bill is already pending, and will no doubt be passed, with the proper limitations and restrictions, admitting to American registry all vessels that ought to be covered by any act of the United States. In the investigation which the Committee on the Merchant Marine and Fisheries has made it appears that following the annexation of these islands a very loose system of registry was in vogue, and a great many ships suddenly took on Hawaiian registries, so as to get into our coastwise trade by this loose system of registry, when they could not have gotten in in any other way. These registries were issued to foreign ships, strictly foreign ships, that had no possible connection with our merchant marine.

Now, the purpose of this amendment is to minimize, at least, the injury which I think this bill is liable to do, by providing that at the time of registry these ships must have been owned by American citizens or citizens of Hawaii. As the bill stands now, anybody who during that period of time secured surreptitiously an American register can come right in under the provisions of the bill.

Mr. KNOX. Mr. Chairman, only a word. As to our committee usurping any jurisdiction, let me say that this bill, with the provision to which the gentleman objects, was recommended by the commission which Congress authorized and the President appointed and which visited Hawaii. We took the bill as we found it, with this provision.

The question being taken on the amendment of Mr. GROSVENOR, it was agreed to.

Mr. CUSHMAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Immediately after section 99 add the following:

"SEC. —. At the expiration of one year after the passage and approval of this act the coasting trade between the islands aforesaid and any other portion of the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two coasting districts, except those provisions relating to license and enrollment: And provided, That such vessels must sail under a register."

Mr. CUSHMAN. Mr. Chairman, the amendment which I have offered and which has just been read is one that was adopted upon my suggestion by the committee, and has the unanimous indorsement of that committee.

This amendment, in substance, simply provides that the shipping laws of the United States governing the coasting trade shall be extended to and include the Territory of Hawaii; provided that such law shall not be in force and effect until one year from and after the passage and approval of this act.

It may be said by some that this amendment of mine is not in favor of American shipping interests, because it will leave this field open to foreign vessels for the period of the next year. However, in truth and in fact, my amendment is designed for the benefit and encouragement of American shipping interests.

Let me illustrate briefly the practical application of this amendment of mine. At the present time there are not anywhere near a sufficient number of vessels engaged in the trade between the United States and Hawaii, either to carry into Hawaii the products of this country or to carry from Hawaii her products. This present scarcity of vessels will be greatly increased during this summer, when every available vessel on the Pacific coast will be engaged in the Alaskan trade. The great gold excitement at Nome, Alaska, will take every available vessel on the coast, because the profits of the Alaskan run are much greater than those of the Hawaiian run. Then that will leave us with not enough American vessels to carry on this trade. If the coasting laws are now extended to this Territory of Hawaii, this extension to take effect upon the passage of this act, then all foreign vessels—which are now carrying our Puget Sound trade with Hawaii—will be driven out. Then we will have neither foreign vessels to carry the trade nor American ships to take the place of the foreign ships.

There is no man in this House who is more anxious to build up American shipping than I am and who will go further with his vote to favor American shipping; but I do not want this bill passed without my amendment, for in effect it would destroy our traffic with Hawaii by taking away our foreign ships without giving us anything in their place. Do not let us destroy what we now have until we are ready to replace it with something else equally as good.

It will take at least a year for any shipyard to build a ship suitable for the trade between the Pacific coast and Hawaii. If my amendment shall prevail, this will be notice to every Hawaiian transportation line that within a year after the passage of this act, if they expect to continue in this trade, they must have American ships to do the carrying trade. Hence they will at once place their orders for ships for this traffic, and thus will my amendment offer encouragement for the upbuilding of American shipping.

If the amendment shall not prevail, we of the Pacific Northwest will be left for the next year with no carrying trade to and from Hawaii, and the transportation companies, who have at great expense been the pioneers in building up this trade, will lose the money they have spent in building it up, and neither the American people nor the Hawaiian people will benefit thereby, but the products of each country will lie rotting for a year waiting for a market.

Mr. Chairman, I trust my amendment will prevail.

The question being taken, the amendment of Mr. CUSHMAN was adopted.

The Clerk read as follows:

SEC. 100. That the portion of the public domain heretofore known as crown land is hereby declared to have been on August 12, 1898, and prior thereto, the property of the Hawaiian government, and to be free and clear from any trust of or concerning the same, and from all claim of any nature whatsoever upon the rents, issues, and profits thereof. It shall be subject to alienation and other uses as may be provided by law.

Mr. McRAE. I move to amend the paragraph just read by striking out, in line 17, the words "alienation and other uses" and inserting in lieu thereof the words "such disposal," so as to read: "It shall be subject to such disposal as may be provided by law."

Mr. KNOX. It seems to me that the change of language does not make any difference whatever in the effect of the provision.

Mr. McRAE. I submit that the words proposed in my amendment are the proper words to be used in reference to the public domain.

The question being taken on the amendment; there were—ayes 46, noes 60.

So the amendment was rejected.

The Clerk read as follows:

SEC. 102. That Chinese in the Hawaiian Islands when this act takes effect may within one year thereafter obtain certificates of residence as required by "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, as amended by an act approved November 3, 1893, entitled "An act to amend an act entitled 'An act to prohibit the coming of Chinese persons into the United States,' approved May 5, 1892," and until the expiration of said year shall not be deemed to be unlawfully in the United States if found therein without such certificates.

Mr. KNOX. I move to amend by adding at the end of the section just read the following:

Provided, however, That no Chinese laborer, whether he shall hold such certificate or not, shall be allowed to enter any State, Territory, or district of the United States from the Hawaiian Islands.

The amendment was agreed to.

Mr. DE ARMOND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which will be reported by the Clerk.

The Clerk read as follows:

Amend by striking out all of section 102 and inserting in lieu thereof the following:

"SEC. 102. All Chinese and other Asiatics who came or were brought into Hawaii since August 12, 1898, under any contracts or contract whereby they bound themselves or are or were bound to any term of service, shall depart therefrom and from the United States within one year from the taking effect of this act; and any such persons being in Hawaii or elsewhere within the United States after the expiration of such period shall be dealt with as if found within the United States in violation of the Chinese exclusion act."

Mr. DE ARMOND. Mr. Chairman, the object of that amendment is plainly apparent from the reading of it. Since August 12, 1898, many thousand Chinese and other Asiatics have been brought to the Hawaiian Islands under labor contracts, and they are there now. If this amendment be adopted these people will have to take themselves away or be taken away within a year after the taking effect of this act, and such of them as may fail to go at the expiration of that time will be there in violation of the laws for the exclusion of Chinese, and will be deported or otherwise dealt with, as other Chinamen violating the Chinese exclusion act.

Mr. BARHAM. Will the gentleman allow me there?

Mr. DE ARMOND. Yes.

Mr. BARHAM. This is a substitute for section 102?

Mr. DE ARMOND. Yes.

Mr. BARHAM. Now, if your amendment is adopted, it will let into the United States all of the Chinese that are not there under

labor contracts, and you certainly do not want that. You certainly do not want this section stricken out. It would let them all into the United States. The section as amended by the amendment offered by the chairman of the committee [Mr. KNOX] brings the Chinese in that island all under the exclusion act and prohibits them from coming to the United States from that island. If you add this to the section as amended by the chairman, then it would have force and effect, but you ought not to offer your amendment in lieu of that.

Mr. DE ARMOND. It did not seem to me from the reading of the amendment that the proposition I offer would have that effect; but it may have, and in order to obviate that I will offer it as a new provision, a new paragraph. My amendment was drawn for the section as it was before any amendment to it had been adopted.

The CHAIRMAN. Without objection, the amendment will be considered as offered in that way.

Mr. KNOX. I did not hear the gentleman's remark. This amendment would leave all the Chinese and Japanese in the island who were there previous to that time. If the gentleman's amendment is to be offered, it should be offered as a new paragraph.

Mr. DE ARMOND. I offer it as a new paragraph.

The CHAIRMAN. Without objection, that course will be pursued.

Mr. SNODGRASS. I should like to ask the gentleman a question. You say that all Chinese and Asiatics that have been brought into those islands under contracts shall depart in one year or be dealt with in accordance with the provisions of the Chinese-exclusion act. What are the provisions of that act?

Mr. DE ARMOND. Oh, I have not time to go into that.

Mr. SNODGRASS. If those people have been brought to those islands—

Mr. DE ARMOND. I can not yield to the gentleman for a speech in my time, nor could I read the provisions of the Chinese-exclusion act in twice five minutes.

Mr. SNODGRASS. I wish to be heard in opposition to the amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] has the floor.

Mr. DE ARMOND. The object of the amendment is to prevent the coming into the United States and to take away from Hawaii those Asiatic laborers who came in under contract—some twenty-five or thirty thousand of them. It is not enough that the amendment offered by the gentleman from Massachusetts [Mr. KNOX] may exclude them from the United States proper. Whether it does it I can not tell, because I merely heard the amendment as it was read in the confusion of the House; but granting that it does, that, to my mind, is not sufficient. They ought not to remain in Hawaii. The contract system ought not to be maintained there, but they should be deported and should be dealt with in Hawaii, as well as in other parts of the United States, as are Chinese here against the provisions of our law, made, I suppose, for due reason and sufficient cause for the exclusion of the Chinese. I would like to have these contract laborers taken out of the Hawaiian Islands as well as prevented from coming to any other part of the United States. The amendment now pending, I think, will have that effect.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. KNOX. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. DE ARMOND. I do not care for that much time. I only want a moment.

The CHAIRMAN. Without objection, the gentleman will proceed.

Mr. DE ARMOND. It will supplement that which the gentleman from Massachusetts sought to accomplish by the amendment offered by him to the section. As I caught the reading of his amendment, I think that the two provisions are in harmony and not at all in conflict.

I think it is entirely right to prevent any and all of the Chinese in the Hawaiian Islands from coming to any other part of the domain of the United States of America and that it is also proper and right and highly desirable to have all of the Chinese who are there under this contract-labor system taken hence as soon as possible. A year is a reasonable time in which to quit our domain without hardship to them.

Mr. BARHAM. The gentleman's amendment does not now propose to strike out the other, as I understand it.

Mr. DE ARMOND. This is a new proposition.

Mr. BARHAM. I should like to have the amendment reported.

The CHAIRMAN. Without objection, the amendment will be reported in its present form.

The Clerk read as follows:

Amend by inserting the following at the end of section 102:

"All Chinese and other Asiatics who came or were brought into Hawaii

since August 12, 1898, under any contracts or contract whereby they bound themselves, or were or are bound to any term of service, shall depart therefrom and from the United States within one year from the date of the taking effect of this act, and any such person being in Hawaii or elsewhere in the United States after the expiration of said period shall be dealt with as if found within the United States in violation of the Chinese-exclusion act."

Mr. SNODGRASS. Mr. Chairman, the people affected by this provision are poor people. They may not be able to get away at the end of the time mentioned; and I think if that amendment is adopted, there ought to be some provision requiring the persons who brought them into those islands under labor contracts to aid them to get away. If we are going to deal with them thus summarily, we ought to provide some way that they may be carried back.

Mr. ROBINSON of Indiana. That is provided for in the Chinese-exclusion act.

Mr. SNODGRASS. That is what I wished to ask the gentleman from Missouri when I addressed an inquiry to him, with reference to the provisions of the exclusion act. Is that a provision of that act?

Mr. ROBINSON of Indiana. It is.

Mr. SNODGRASS. Then I withdraw all opposition to the amendment.

The amendment offered by Mr. DE ARMOND was agreed to.

Mr. NEWLANDS. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Nevada offers an amendment which will be reported by the Clerk.

The amendment was read, as follows:

Amend section 102 by adding:

"That there shall be a commissioner of labor, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold his office for four years, unless sooner removed, whose duty shall be to acquire and diffuse among the people of Hawaii useful information on subjects connected with labor, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

"It shall be his duty to make annual reports to the governor and legislature of the Territory of Hawaii, and also to the Department of Labor in the United States. The commissioner of labor is also specially charged to investigate the causes of and facts relating to all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of Hawaii, and to report thereon to the legislature of Hawaii and to the Department of Labor in the United States. The commissioner of labor shall annually make a report in writing to the governor and legislature of the Territory of Hawaii, as well as to the Department of Labor in the United States, of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the Department. He shall require such statements as may be prescribed by the Department of Labor in the United States, from all employers of labor, as to the number of laborers employed, the nationality of the laborers, the daily, weekly, and monthly wages paid, and such other information as the Department of Labor may require. Any failure to make such a statement by any person or corporation shall subject such person or corporation to a penalty of \$100 for each and every refusal, to be collected and enforced by the government of the Territory of Hawaii in the courts of Hawaii, and to such other additional penalties as may be prescribed by the legislature of the Territory of Hawaii. The legislature of Hawaii may add to the powers and duties of the commissioner of labor as herein prescribed, and may prescribe additional penalties."

Mr. NEWLANDS. Mr. Chairman, the purpose of this amendment is to provide for the appointment of an official whose special duty it shall be to inquire into all questions relating to labor in the Hawaiian Islands, to collect and present statistics both to the governor of Hawaii, the legislature of Hawaii, and the Department of Labor at Washington. It provides that this commissioner shall be appointed by the President, for the reason that I deem it unwise that this appointment should be given to the governor of the Territory, or that the labor commissioner should be elected by the people there. The great danger to Republican institutions in those islands arises from their system of land tenure, which means centralization of land ownership in corporations of large capital, for the plantations are almost universally held and owned by corporations, and from the labor system that has prevailed there.

Mr. COX. Will the gentleman allow me to ask him one question there?

Mr. NEWLANDS. Very well.

Mr. COX. I could not determine from your amendment what term of office is fixed or the salary?

Mr. NEWLANDS. The term is fixed at four years. I have not provided for the salary. This commissioner should be appointed by the President of the United States, because we should see to it that a republican government is maintained there; and the danger to republican government largely arises from the system of labor which the governing class there seek to maintain. Reports are to be made not only to the governor and the legislature of those islands, but to the Department of Labor in the United States, so that his reports to us annually may present all the statistical information. Now, it has been the custom in almost every State in the Union to appoint such commissioners of labor and to organize such departments of labor.

They have done great and efficient work. We have a Commissioner of Labor of the United States and a United States Department of Labor, and the work of that department has been most

beneficial. It seems to me that we can not properly organize the government of Hawaii unless we provide for a department whose special function it is to collect statistical information in relation to the labor conditions of that country and to present it to the local governing body and the supervising and controlling Government of the United States.

Mr. KNOX. Will the gentleman permit me to ask him a question?

Mr. NEWLANDS. Certainly.

Mr. KNOX. Does not the jurisdiction of our Labor Commissioner extend to-day to the Territories?

Mr. NEWLANDS. No; I do not so understand. I present this amendment after consultation with the Labor Commissioner to-day.

Mr. KNOX. Mr. Wright. Does he approve it?

Mr. NEWLANDS. There are some additions made; but nothing at all that antagonizes his recommendation.

Mr. McRAE. I would like to ask the gentleman a question.

Mr. NEWLANDS. Certainly.

Mr. McRAE. Can not he so modify his amendment as to impose these duties upon the commissioner of agriculture and forestry there?

Mr. NEWLANDS. The commissioner of agriculture and forestry there is elected by the people.

Mr. McRAE. If you require him to perform this duty, I think it will be a saving to the government.

Mr. NEWLANDS. I do not want this duty to be performed by any official who will be a representative of the very land system which is interested in maintaining and preserving this system of labor. I wish this commissioner to be appointed by the President of the United States.

Mr. McRAE. The objection I see to it is that he has very little to do, and this other officer has very little to do, and these are two big salaries.

Mr. NEWLANDS. That can be taken in hand by the conferees and disposed of.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Nevada.

The question was taken; and the Chairman announced that the "noes" appeared to have it.

Mr. NEWLANDS. I call for a division.

The committee divided; and there were—ayes 39, noes 83.

So the amendment was rejected.

Mr. NEWLANDS. I offer the following amendment.

The Clerk read as follows:

Amend section 102 by adding:

"That it is hereby declared to be the purpose of the United States to promote the increase of free white labor in the Territory of Hawaii and to discourage the employment of Asiatics, and to that end it is enacted that every corporation employing labor in Hawaii shall, within one year from the passage of this act, employ at least one-tenth of its laborers from citizens of the United States, citizens of the Territory of Hawaii, and other free white persons, and that such corporations shall increase the number of such laborers one-tenth annually, until at least three-fourths of their laborers shall be citizens of the United States, citizens of the Territory of Hawaii, or other free white persons. Any violation of this provision shall subject the corporation guilty of such violation to the forfeiture of its franchise and to such other penalties as may be prescribed by the legislature of Hawaii."

Mr. NEWLANDS. Mr. Chairman, the purpose of this amendment is to gradually relieve Hawaii of the intolerable conditions arising from the employment of Asiatic labor. As it stands to-day these islands are almost entirely devoted to the production of sugar, a production which has been made vastly profitable by the markets which this country has afforded. Lands have risen to fabulous values. The prices received for their products and the profits made have been such as to warrant the employment of a higher class of laborers and a much more expensive system of labor.

Notwithstanding that fact, these corporations which own or control almost all the sugar lands and whose influence is potential in government have steadily encouraged Asiatic immigration to those islands, instead of endeavoring to increase white immigration to those islands. Their contention has been that the climate is unsuited to white labor. I have it from those who are informed as to the climate that it is not unsuited to white labor, and especially not unsuited to those white laborers who live in semitropical countries and semitropical climates, such as the Portuguese and Italians, who constitute a most useful portion of our population, whose children are educated in our schools, and who soon become, as citizens of a republican government, devoted to its institutions and its principles.

Now, the question is, How can we relieve these islands from the incubus that has been fastened upon them by a false labor system without injustice to existing rights and without the destruction of the business now conducted there? It is obvious that it must be gradually done. We can accomplish it by the control which the State has over the corporations which it creates. The Government can determine the class of labor which these corporations shall employ, and it can subject them to the penalty of for-

feiture of their franchises if they violate the injunction of the law.

These corporations control all the sugar lands of Hawaii; and as that is the occupation which employs almost all the laborers in that country, by controlling the corporations in the employment of Asiatic labor you regulate the evil complained of.

Now, I provide in this amendment for the gradual increase in the white labor employed by these corporations. The amendment provides for the employment of one-tenth within the first year and an increase of one-tenth every year, until at least three-quarters of the employees of these corporations shall be citizens of the United States, which includes white and black citizens of the United States, citizens of the Territory of Hawaii, which includes the Kanakas and other white people, such as Italians and Portuguese, who can migrate to these islands, and thus gradually three-quarters of the now Asiatic population of these islands will increase by the addition of such persons, white or black, as are now citizens of the United States and by the immigration of laborers of the white race who are accustomed to a semitropical climate.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. NEWLANDS. I ask an extension of five minutes.

The CHAIRMAN. The gentleman from Nevada asks that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Now, will the gentleman yield to me for a question?

Mr. NEWLANDS. Just for a question.

Mr. COX. Why do you exclude the negro there?

Mr. NEWLANDS. I do not.

Mr. COX. You say free white people.

Mr. NEWLANDS. No, I do not; I say citizens of the United States, citizens of the Territory of Hawaii and other free white persons. Now, citizens of the United States includes the negroes that are in the United States.

Mr. COX. Well, put my nigger in, and that is all I want. [Laughter.]

Mr. NEWLANDS. Negroes of the United States can go to these islands. The plan which I advocate will not work any violent change in the existing system of labor, nor will it operate in the end to the disadvantage of the capital employed there. I am as anxious as anyone to avoid that. The process is merely one which reaches out for corporations which are creatures of the State and whose franchises are subject to the control of the State. It exercises a reasonable control over their employment of labor, to the advantage of the Government and to the advantage of the republican institutions.

Nor will it work an injustice to the Asiatic labor now employed there. The change will be gradual; and as these islands grow in business, as they are bound to do, it is probable that the Asiatic laborers now employed there and displaced by the gradual system which this amendment provides for will be absorbed by new enterprises, or will be glad to return to their homes with the accumulations which most of them acquire.

Mr. KNOX. Mr. Chairman, I have only one word to say in regard to this amendment, and that is, I trust that it will not prevail. The labor problem in Hawaii is a very difficult one and a very uncertain one, and what the future result is going to be there no one can foresee. The hope is, and the best hope is, that as these valuable lands which are now leased on long terms of years expire, and as they become a part of the public domain, inasmuch as under this bill no future leases but for a short term can be made except by an act of Congress, it is the hope that these lands will be taken, not by men who my friend says work for corporations, but that they will be taken by individuals who go to Hawaii in good faith to take these lands as homesteaders.

Mr. NEWLANDS. The gentleman has reference to the crown lands.

Mr. KNOX. I refer to all public lands. This is the best hope for Hawaii. Now, the great corporations that are there, which own the great sugar plantations and great rice fields, I do not believe with reference to them that any Americans are going there to work in the rice fields. I do not believe that citizens of the United States, the men who have the enterprise to-day, who go to Alaska, are going to Hawaii to work on a sugar plantation.

I believe the best hope for the Asiatics, the Japanese, and the Chinese is that they may acquire sufficient of their own means to buy these lands and own small plantations and have families there. I do not believe in opening the door and saying that these Chinese and Japanese shall ever be citizens of the United States; and I do not believe that anyone will ever work in the rice fields in Hawaii or in a tropical country unless he be a Chinaman or a Japanese or some native of a tropical country.

Mr. NEWLANDS. Are there any rice fields in Hawaii?

Mr. KNOX. Oh, yes.

Mr. NEWLANDS. How extensive?

Mr. KNOX. I do not know, but the report will give you the information.

Mr. HITT. It is the third export of the island.

Mr. FINLEY. I think it is the second industry in the island.

Mr. KNOX. Yes; I think it is the second. These great products will never be produced by American workmen.

The CHAIRMAN. Debate on this amendment is exhausted. The question is on agreeing to the amendment offered by the gentleman from Nevada [Mr. NEWLANDS].

The question was taken; and on a division (demanded by Mr. NEWLANDS) there were 34 ayes and 77 noes.

So the amendment was disagreed to.

Mr. KNOX. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 16, page 97, insert two new sections, numbered 104 and 105, as follows:

"Sec. 104. That the laws of Hawaii relating to the establishment and conduct of any postal savings bank or institution are hereby abolished. And the Secretary of the Treasury, in the execution of the agreement of the United States as expressed in an act entitled 'A joint resolution to provide for annexing the Hawaiian Islands to the United States,' approved July 7, 1898, shall pay the amounts on deposit in Hawaiian Postal Savings Bank to the persons entitled thereto, according to their respective rights, and he shall make all needful orders, rules, and regulations for paying such persons and for notifying such persons to present their demands for payment. So much money as is necessary to pay said demands is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be available on and after the 1st day of July, 1900, when such payments shall begin, and none of said demands shall bear interest after said date and no deposit shall be made in said bank after said date. Said demands of such persons shall be certified to by the chief executive of Hawaii as being genuine and due to the persons presenting the same, and his certificate shall be sealed with the official seal of the Territory and countersigned by its secretary, and shall be approved by the Secretary of the Interior, who shall draw his warrant for the amount due upon the Treasurer of the United States, and when the same are so paid no further liabilities shall exist in respect of the same against the Government of the United States or of Hawaii.

"Sec. 105. That any money of the Hawaiian Postal Savings Bank that shall remain unpaid to the persons entitled thereto on the 1st day of July, 1900, and any assets of said bank, shall be turned over by the government of Hawaii to the Treasurer of the United States, and the Secretary of the Treasury shall cause an account to be started, as of said date, between such government of Hawaii and the United States in respect to said Hawaiian Postal Savings Bank."

Mr. KNOX. Mr. Chairman, this amendment simply carries out the provisions of the annexation resolution for closing up the Hawaiian Postal Savings Bank. It is in the exact language recommended by the commission and adopted by the Senate.

The amendment was agreed to.

Mr. HILL. I move to add as a new section the paragraph which I send to the desk.

The Clerk read as follows:

Sec. 105. Nothing in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State or attached to any State.

Mr. KNOX. I reserve a point of order on that amendment.

Mr. HILL. Mr. Chairman, the number of eligible voters in the republic of Hawaii to-day is 3,800. If this bill should become a law now, there would be to-morrow 15,000 such voters. I submit that this is rather a sudden absorption of the privileges and responsibilities of American citizenship. I submit, furthermore, that the committee itself feels precisely in the same way in regard to this matter; for I wish to read a clause in their report in regard to the qualifications of voters for senators, being a property qualification which I do not approve. The committee say:

The amendment striking out all property qualifications for electors of senators was made on account of great opposition made to this provision, both in the committee and by other Representatives. It appeared that such a qualification had heretofore existed in Hawaii, and this fact had been salutary, and it is hoped—

A hope in which "the gentleman from Connecticut" most heartily joins—

and it is hoped that this amendment will not unfavorably affect either the character of so important a body as the senate of Hawaii or ever be the means of vicious legislation.

I regret that this legislation should be framed in so hasty and inconsiderate a manner that the committee itself feels called upon to apologize when the bill is here for the organization of this Territory.

No harm whatever can come from the passage of the amendment I have just offered. It commits Congress to nothing. It simply says that this bill and the admission of this Territory shall not be taken or construed as a pledge for the admission of the Territory to statehood either in the immediate or the distant future.

Mr. CANNON. Whether the amendment be adopted or not, is there anything in this bill which commits the Congress of the United States or the people of the country to admit this Territory to statehood?

Mr. HILL. I think there is, so far as the sentimental side of the question is concerned. The American people look upon the authorization and full organization of a Territory as the first step toward statehood. It has always been so construed; it always will be so construed. By the adoption of this amendment we shall simply put ourselves on record as declaring that this legislation is not adopted with that end in view.

Allow me a moment—

The CHAIRMAN. The committee will be in order. Debate upon this amendment is exhausted except by unanimous consent. [Cries of "Vote!" "Vote!"]

Mr. HILL. I ask unanimous consent—

The CHAIRMAN. The gentleman from Connecticut [Mr. HILL] asks unanimous consent to address the committee. Is there objection? The Chair hears none.

Mr. HILL. Mr. Chairman, I would state in reply to the elegant remark of the chairman of the Committee on Territories that the amendment offered by me is the precise amendment which the junior Senator from the State of Massachusetts was reported in the papers to have stated that he would have offered if he had had an opportunity.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, a message in writing was received from the President of the United States, by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On April 2, 1900:

H. R. 541. An act granting a pension to Ellen Norwood;
H. R. 539. An act granting a pension to Louisa S. Wilson;
H. R. 1989. An act granting a pension to Marie Wiersang;
H. R. 2792. An act granting a pension to Peter Cummings;
H. R. 4854. An act granting a pension to James L. Whidden;
H. R. 5229. An act granting a pension to Sarah Potter;
H. R. 5949. An act granting a pension to Frederick Weber;
H. R. 5544. An act granting a pension to Lona A. Morgan;
H. R. 6092. An act granting a pension to Louisa Stearns;
H. R. 6028. An act granting a pension to John H. Meeker;
H. R. 6139. An act granting a pension to Lucinda Haggard;
H. R. 206. An act granting an increase of pension to Isaac D. Smith;

H. R. 1944. An act granting an increase of pension to Eli C. Walton;

H. R. 3809. An act granting an increase of pension to Elisha B. Seaman;

H. R. 2389. An act granting an increase of pension to Edward Boyle;

H. R. 2382. An act granting an increase of pension to Eli Overhultz;

H. R. 3966. An act granting an increase of pension to David Talmon;

H. R. 3470. An act granting an increase of pension to George W. Weeden;

H. R. 2802. An act granting an increase of pension to John W. Brisbois;

H. R. 4441. An act granting an increase of pension to Samuel C. Krickbaum;

H. R. 4298. An act granting an increase of pension to John M. McCord;

H. R. 5126. An act granting an increase of pension to James J. McManis;

H. R. 5180. An act granting an increase of pension to Thomas Adams;

H. R. 4961. An act granting an increase of pension to Margaret Gangloff;

H. R. 5546. An act granting an increase of pension to George White;

H. R. 6031. An act granting an increase of pension to James W. Carmody;

H. R. 6144. An act granting an increase of pension to Margaret A. Porter;

H. R. 6911. An act granting an increase of pension to James R. Sawtell;

H. R. 7114. An act granting an increase of pension to John S. Parker;

H. R. 7368. An act granting an increase of pension to Sherman D. Plues;

H. R. 7622. An act granting an increase of pension to Peter M. Heaton; and

H. R. 7806. An act granting an increase of pension to Samuel Lybarger.

On April 3, 1900:

H. R. 5139. An act for the relief of Joseph Bacigaluppi and others.

On April 4, 1900:

H. R. 6627. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1901, and for other purposes;

H. R. 7941. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1901;

H. R. 99. An act to establish a military post at or near Des Moines, Iowa;

H. R. 1763. An act granting a pension to Ella F. Sydnor;

H. R. 3012. An act granting a pension to Sarah Claggett;

H. R. 470. An act granting a pension to Jane Dykes;
 H. R. 6701. An act granting a pension to Sereida C. McGrew;
 H. R. 6700. An act granting an increase of pension to Maria Andrews;
 H. R. 3538. An act granting an increase of pension to Charles Ross; and
 H. R. 2597. An act granting an increase of pension to Charles Kauffung.
 On April 5, 1900:
 H. R. 8128. An act to establish light and fog signal at Browns Point, in Puget Sound.

GOVERNMENT FOR HAWAII.

The committee resumed its session.
 Mr. WILLIAMS of Mississippi. I ask unanimous consent to address the committee.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to address the committee. Is there objection?
 There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman, there are two opinions as to the legal status of Territories of the United States. One is that under the Constitution every Territory is necessarily in process of formation for statehood. The other is that this view is a mere dictum of a court and is not law.

Now, let us take both sides of that proposition. If the announcement of the court be a decision, then the amendment of the gentleman from Connecticut [Mr. HILL] would place upon the statute books an unconstitutional pronouncement. If, upon the other hand, the contention of the other side is correct and the announcement of the court be mere obiter dictum and it be not true that a Territory is necessarily a country in process of formation for statehood, then the gentleman's amendment is unnecessary.

Now, why is it unnecessary? For two reasons: First, if Congress desires to prevent Hawaii from becoming a State it has a very easy method of preventing it, and that is simply never to vote to make Hawaii a State. And then there is another reason why it is unnecessary. Even if this Congress could bind all successive Congresses, as far as any Congress can possibly bind another, by an utterance to the effect that Hawaii should never become a State, that act of this Congress could be repealed by the very next Congress, or the very next Congress after that, if that Congress chose. Therefore I think I agree with the gentleman who is chairman of the committee, without repeating the language of my old friend Mr. Walker, that this thing is "demnition nonsense," either because it is unconstitutional or else because it is unnecessary. [Applause.]

Mr. RIDGELY. Let us have the reading of the amendment again.

The amendment was again reported.

Mr. RIDGELY. I move to amend by striking out the last word of the amendment.

The CHAIRMAN. That motion is not in order, this being an amendment to an amendment. The question is on the amendment offered by the gentleman from Connecticut.

The amendment of Mr. HILL was rejected.

Mr. KNOX. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

In place of section 103 of the bill insert a new section, to be numbered 105, and to read as follows:

"SEC. 105. This act shall take effect sixty days from and after the date of the approval thereof, excepting only as to section 52, relating to appropriations, which shall take effect upon such approval."

Mr. RIDGELY. Mr. Chairman, I will not take the full time apportioned to me, but I wish at this stage of our proceedings to call the attention of members here to the fact that while we are claiming that these new possessions are to give us an outlet for our labor element, we have by our action here refused the very conservative provision offered by the gentleman from Nevada [Mr. NEWLANDS], providing that the people in Hawaii employing labor shall gradually give preference to our people by requiring that at least 10 per cent of their employees shall be citizens, adding to this 10 per cent each year until all employees are citizens, allowing them to take the colored people from this country to displace the Asiatics if they so desire.

In opposition to this, the chairman of this committee calls attention to the fact that the peculiar conditions and kinds of work in that country may demand the employment of the Asiatics, who by the bill are denied the right of citizenship. I simply call attention to the fact that we, by our action here, are admitting that we at least hold it to be a matter of grave doubt whether we have any laborers that are adapted to the chief industries of our new possessions.

Another thing I earnestly condemn. We have just passed an amendment to this bill which directly destroys the postal savings bank that the government of Hawaii had established without

offering anything in its place. Thus we drive all deposits to private banks, which too often fail. We are really carrying those people backward instead of forward in this, while we boast of our superior civilization.

I will not take up any more time now, but I will extend my remarks in the RECORD.

Mr. KNOX. Mr. Chairman—

The CHAIRMAN. The gentleman's amendment is still pending.

Mr. McRAE. I hope the gentleman will modify that by also excepting section 10 and let that go into operation at once.

Mr. KNOX. We could not do that.

The amendment of Mr. KNOX was agreed to.

Mr. NEWLANDS. Mr. Chairman, with the permission of the chairman of the committee, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

1. Insert on page 83, after section 76, a new section, to read as follows:
 "There shall be a commissioner of labor, whose duty it shall be to collect, assort, arrange, and present in annual reports to the governor and to the legislature and to the Department of Labor of the United States statistical details relating to all departments of labor in the Territory, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to all such other subjects as the legislature may by law direct. The said commissioner is specially charged to ascertain, at as early a date as possible and as often thereafter as such information may be required, the highest, lowest, and average number of employees engaged in the various industries in the Territory, to be classified as to nativity, sex, hours of labor, and conditions of employment, and to report the same to the United States Commissioner of Labor."
 2. Insert in section 80, on page 85, line 2, after the word "forestry," the words "commissioner of labor."

The CHAIRMAN. The gentleman from Nevada [Mr. NEWLANDS] asks unanimous consent to return to the section referred to in his amendment for the purpose of offering an amendment. Is there objection?

There was no objection.

[Mr. NEWLANDS addressed the committee. See Appendix.]

Mr. KNOX. Mr. Chairman, this amendment is general in its provisions, and I was induced to say that I would not object to it, because it was drawn by the Commissioner of Labor, Mr. Wright, whom we all know to be an able man, and who has thoroughly investigated these questions, and is better able to judge of what is necessary and proper than I am. Therefore I agreed to offer no objection to the amendment.

Mr. HITT. Does this provide any salary for the commissioner?
 Mr. NEWLANDS. No.

The amendment was agreed to.

Mr. KNOX. Inasmuch as one section of the bill has been stricken out, I ask unanimous consent that the sections may be renumbered, to make them consecutive.

The CHAIRMAN. The Clerk will perform that duty.

Mr. KNOX. Mr. Chairman, inasmuch as this whole House bill is an amendment to the Senate bill, striking out the enacting clause and inserting the bill that we have been considering, I move that this amendment be now adopted.

The CHAIRMAN. The gentleman from Massachusetts moves that the amendment in the nature of a substitute proposed by the Committee on Territories, as amended, be agreed to.

Mr. BARTLETT. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. If this motion prevails, does it prevent the voting in the House upon amendments to this amendment?

The CHAIRMAN. That question will arise in the House and there be disposed of.

Mr. BARTLETT. We should like to know before we vote.

The CHAIRMAN. The Chair has no authority to express an opinion upon what will arise in the House.

Mr. ROBINSON of Indiana. I should like to ask the chairman of the Committee on Territories—

Mr. BARTLETT. Mr. Chairman—

The CHAIRMAN. The gentleman from Georgia still holds the floor.

Mr. ROBINSON of Indiana. Excuse me.

Mr. BARTLETT. I desire to know whether this is a request for unanimous consent or whether it is a motion?

The CHAIRMAN. It is a motion in order.

Mr. KNOX. It is the usual motion that is made in such cases.

Mr. BARTLETT. I am not proposing to object to it.

Mr. ROBINSON of Indiana. Pending that, I would like to ask the privilege of submitting an amendment to the last section, or an amendment to the amendment that the Committee on Territories proposed a moment ago.

Mr. KNOX. What is it?

Mr. ROBINSON of Indiana. It is a change from thirty to sixty days in the time at which the bill should take effect.

Mr. KNOX. I am informed by the Department that the time we have already fixed for this bill to take effect is too short. It takes—I do not know how long for the bill to get to San Francisco, and we have no cable to Hawaii.

Mr. ROBINSON of Indiana. I am sorry for that, as there are some matters on which it ought to take effect early.

Mr. KNOX. We have provided that some provisions take effect at once.

Mr. ROBINSON of Indiana. Does that include section 10—the labor provision?

Mr. KNOX. No; it does not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts, in the nature of a substitute.

The question was taken; and the substitute was agreed to.

Mr. KNOX. I move that the committee now rise and report the bill and amendment to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MOODY of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 222, and had directed him to report the same with an amendment in the nature of a substitute, with the recommendation that the bill as thus amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the bill.

The bill was ordered to a third reading; and it was accordingly read the third time.

Mr. BARTHOLDT. Mr. Speaker, since the parliamentary status of the bill is such that no amendment can be voted upon separately, and the only opportunity to offer an amendment is by a motion to recommit to the Committee on Territories, I desire to offer such a motion.

The SPEAKER. The gentleman from Missouri submits a motion to recommit, which the Clerk will report.

The Clerk read as follows:

That the bill be recommitted to the Committee on Territories with instructions to strike out of page 71, line 7, after the word "allowed," the words "nor shall saloons for the sale of intoxicating liquors be allowed," and that the bill be reported back forthwith.

Mr. CANNON. Mr. Speaker, I desire to make a parliamentary inquiry. Suppose that motion is adopted. I desire to know whether it would be the duty of the gentleman in charge of the bill at once on its adoption to report back the bill as instructed.

The SPEAKER. The Chair will state, in reply to the parliamentary inquiry of the gentleman from Illinois, that it has been held repeatedly that the chairman of the committee who reports the bill, if this motion should prevail, should report it back forthwith, without leaving his seat or consulting his committee; and the Chair will further state that in the recollection of the Chair, on a motion made by the gentleman from Illinois who makes the parliamentary inquiry, that ruling was made. The question is on agreeing to the motion.

Mr. LITTLEFIELD. I call for the yeas and nays. [Cries of "Oh, no!"]

Mr. FINLEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. FINLEY. For a parliamentary inquiry. I wish to know whether or not unanimous consent is necessary on that motion?

The SPEAKER. On this motion; not at all. It is a privilege the gentleman has. The question is on agreeing to the motion.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Several MEMBERS. Division!

The House divided; and there were—ayes 50, noes 83.

Mr. PARKER of New Jersey and Mr. BARTHOLDT. The yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Eighteen gentlemen have arisen—not a sufficient number; the yeas and nays are refused. The noes have it, and the motion is lost. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. KLEBERG and others. Division!

The House divided; and there were—ayes 120, noes 28.

Mr. KLEBERG. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twelve gentlemen have arisen—not a sufficient number; the yeas and nays are refused. The ayes have it, and the bill is passed.

On motion of Mr. KNOX, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER AT ALEXANDRIA, LA.

Mr. BREAZEALE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 10311) to authorize the Shreveport and Red River Valley Railway Company to build and maintain a railway bridge across Red River, at or near the town of Alexandria, in the parish of Rapides, State of Louisiana.

The bill was read at length.

The amendment recommended by the committee was read.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BREAZEALE, a motion to reconsider the vote by which the bill was passed was laid on the table.

NORTHERN JUDICIAL DISTRICT OF GEORGIA.

Mr. FLEMING. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 60, which simply provides for a subdivision of the northern district of Georgia, in order that the court may be held at a more central point for carrying on the business. It is unanimously reported.

The Clerk read as follows:

A bill (H. R. 60) to create the northwestern division of the northern district of Georgia for judicial purposes and to fix the time and place for holding court therein.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Dade, Walker, Cattoosa, Whitfield, Murray, Chattooga, Gordon, Floyd, Bartow, Polk, Paulding, Haralson, and Carroll, in the State of Georgia, shall constitute the northwestern division of the northern judicial district of Georgia, and a term of the circuit and district courts for said district shall be held in said division hereby created at the city of Rome on the third Monday of May and the third Monday of November of each year. Each of said terms to continue two weeks or longer, if necessary, to dispose of the business at any time pending in said court.

SEC. 2. That all civil suits which shall hereafter be brought against a defendant or defendants who reside in said northwestern division of said district shall be brought in said northwestern division; but if there are two or more defendants residing in different divisions of said district, such suit may be brought in either division of said district in which any defendant or defendants reside, and all mesne and final process subject to the provisions of this act issued in either of the divisions of the northern district of Georgia may be served and executed in either or all of the divisions.

SEC. 3. That all crimes and offenses against the laws of the United States hereafter committed within the counties comprising the northwestern division of said district shall be prosecuted, tried, and determined at the terms of the circuit and district courts herein provided for: *Provided, however,* That all such crimes and offenses heretofore committed within said district shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 4. That the clerks of the circuit and district courts for said northern district and the marshal of said district shall each appoint a deputy, who shall reside and maintain an office at the city of Rome, each of whom, in the absence of the clerks and marshal, shall exercise all the powers and perform all the duties of his principal within the division for which he shall be appointed: *Provided,* That the appointment of such deputies shall be approved by the court for which they shall be respectively appointed, and they may be removed by such court at pleasure; and the clerk and marshal shall be responsible for the official acts and neglects of all their deputies.

SEC. 5. That all the grand jurors and all jurors for the trial of civil and criminal courts in the division hereby created shall be selected from citizens residing in the division created by this act.

The amendments recommended by the committee were read, as follows:

Page 1, from lines 10, 11, and 12, strike out the following: "Each of said terms to continue two weeks or longer, if necessary to dispose of the business at any time pending in said court" and insert in lieu thereof the following: "*Provided, however,* That suitable rooms and accommodations are furnished for the holding of said courts free of expense to the Government of the United States."

Page 2, line 11, strike out the word "Hereafter."

Page 2, strike out all of lines 15, 16, 17, and 18, and insert in lieu thereof the following: "that all prosecutions begun and pending at the taking effect of this act shall be proceeded with and finally determined as if this act were not passed."

Page 2, line 20, strike out the words "and the marshal of said district."

Page 2, line 23, strike out the words "and marshal."

Page 3, from lines 3, 4, and 5, strike out the following: "and the clerk and marshal shall be responsible for the official acts and neglects of all their deputies."

Page 3, line 7, strike out the word "courts" and insert in lieu thereof the word "causes."

Page 3, after line 9, insert the following:

"SEC. 6. That this act shall take effect from and after the 30th day of June, A. D. 1900, and all acts and parts of acts so far as inconsistent herewith are hereby repealed."

Mr. PAYNE. I would like to ask the gentleman from Georgia if this bill makes any extra charge on the Treasury?

Mr. FLEMING. It does not.

Mr. PAYNE. And is it the unanimous report of the committee?

Mr. FLEMING. It is; and it creates no additional charge on the Treasury. The city of Rome furnishes the building free.

The amendments recommended by the committee were agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. FLEMING, a motion to reconsider the last vote was laid on the table.

REPRINT.

Mr. HITT. Mr. Speaker, I desire to ask unanimous consent of the House to order a reprint of the Senate Document 229, second

session Fifty-fifth Congress, there being a bill now pending before the Committee on Foreign Affairs for the equitable distribution of the waters of the Rio Grande, and the document is exhausted. I have submitted this to the chairman and the Committee on Printing, and they say they have no objection.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the reprint of Senate Document No. 229, second session Fifty-fifth Congress. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. STEELE. Mr. Speaker, I move that the House do now adjourn.

MESSAGE FROM THE PRESIDENT.

The SPEAKER. Pending that motion, the Chair will submit a message from the President of the United States.

The message from the President of the United States was read, as follows, ordered to be printed, and referred to the Committee on Appropriations:

To the Senate and House of Representatives:

By the act of Congress approved December 28, 1892, a copy of which is annexed, the Attorney-General of the United States "is authorized and directed to bring suit in the Court of Claims against La Abra Silver Mining Company, its successors and assigns, and all persons making any claim to the award or any part thereof in this act mentioned, to determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud effectuated by means of false swearing or other false and fraudulent practices on the part of the said La Abra Silver Mining Company, or its agents, attorneys, or assigns; and, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award."

In pursuance of the provisions and powers of this act, the Attorney-General did, on behalf of the United States, bring suit in the Court of Claims against La Abra Silver Mining Company et al.; and on June 24, 1897, that court decided that the award made by the United States and Mexican Mixed Commission in favor of said La Abra Silver Mining Company was obtained by fraud, and a decree was rendered barring and foreclosing all claim on the part of said company, its agents, attorneys, or assigns, to the money received from the Republic of Mexico on account of said award. A copy of this decision is herewith transmitted.

The Supreme Court of the United States, on appeal, having affirmed in full the decision of the Court of Claims, the Secretary of State, in accordance with section 4 of the act referred to and the judicial proceedings above recited, and acting under my direction, on March 28, 1900, turned over to the ambassador of the Republic of Mexico at Washington the balance, amounting to \$403,000.08, remaining under the control of the Department of State of the sum paid by the Government of Mexico on account of La Abra award.

I transmit a copy of the Secretary of State's note of transmittal, as well as a translation of the ambassador's cordial note of acknowledgment.

It affords me pleasure to communicate to Congress the accomplishment of this act of equity and good faith toward a friendly Republic.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, April 6, 1900.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

- H. R. 4047. An act granting an increase of pension to James S. Jordan;
- H. R. 3775. An act granting an increase of pension to Robert Boston;
- H. R. 3694. An act granting an increase of pension to James Bottoms;
- H. R. 3640. An act granting a pension to Mary Pollock;
- H. R. 3635. An act granting an increase of pension to Timothy B. Eastman;
- H. R. 3268. An act granting an increase of pension to James W. Kessler;
- H. R. 3085. An act granting an increase of pension to William Sheppard;
- H. R. 3021. An act granting a pension to Eliza H. Getchel;
- H. R. 6885. An act granting an increase of pension to Horace B. Durant;
- H. R. 493. An act granting a pension to Fanny M. Hays;
- H. R. 1754. An act granting a pension to Helen M. Hull;
- H. R. 1507. An act granting an increase of pension to William H. La Count;
- H. R. 1458. An act granting an increase of pension to John E. Whinnery;
- H. R. 3863. An act granting an increase of pension to Alfred Dyer;
- H. R. 4681. An act granting an increase of pension to Elizabeth Keiff;
- H. R. 5882. An act granting an increase of pension to John B. Fairchilds;
- H. R. 3167. An act granting an increase of pension to Thomas H. Cook;
- H. R. 205. An act granting an increase of pension to George C. Snyder;
- H. R. 8610. An act granting an increase of pension to Abner S. Crawford;

H. R. 434. An act granting an increase of pension to Jessie Smith;

H. R. 8120. An act granting an increase of pension to David L. Wentworth;

H. R. 7594. An act granting a pension to Amelia Taylor;

H. R. 7488. An act granting a pension to John C. Ray;

H. R. 7445. An act granting a pension to Emma B. Reed;

H. R. 7322. An act granting an increase of pension to Frederick E. Vance;

H. R. 8395. An act granting an increase of pension to Henry Johns;

H. R. 457. An act granting a pension to Clara L. Harriman;

H. R. 240. An act granting an increase of pension to George W. Wakefield;

H. R. 6304. An act granting an increase of pension to James J. Lyons;

H. R. 6284. An act granting an increase of pension to James Crawley;

H. R. 6161. An act granting an increase of pension to John Landegan;

H. R. 5503. An act granting an increase of pension to Samuel Hanson;

H. R. 5346. An act granting a pension to Elizabeth B. Norris;

H. R. 5211. An act granting a pension to Lizzie M. Dixon;

H. R. 5169. An act granting an increase of pension to Charles Weed;

H. R. 5110. An act granting an increase of pension to Edward T. Kennedy;

H. R. 5203. An act granting an increase of pension to Samuel A. Greeley;

H. R. 4828. An act granting a pension to Susie E. Johnson;

H. R. 4655. An act granting a pension to Elizabeth C. Rice;

H. R. 2999. An act granting an increase of pension to George M. Brown;

H. R. 2865. An act granting an increase of pension to Louis H. Gein;

H. R. 2809. An act granting an increase of pension to Moses F. Woods;

H. R. 2681. An act granting an increase of pension to Calista F. Hall;

H. R. 2397. An act granting a pension to Eliza S. Redfield;

H. R. 2203. An act granting an increase of pension to John M. Garrett;

H. R. 1890. An act to increase the pension of John Houk;

H. R. 1800. An act granting a pension to Lutheria H. Maynard;

H. R. 6932. An act granting a pension to Carrie P. Dale;

H. R. 7939. An act to amend an act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement; and

H. J. Res. 216. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

CHANGE OF REFERENCE.

The SPEAKER. The Chair will lay before the House a change of reference of two bills: H. R. 10223, for improvement of navy-yard bridge at Washington, D. C., and H. R. 10223, providing for the erection of engine house and the purchase of a chemical engine at Congress Heights, D. C., from the Committee on the District of Columbia to the Committee on Appropriations. Without objection, this change of reference will be made.

There was no objection.

REPRINT OF A BILL.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the reprint of House bill 64, known as the shipping bill.

The SPEAKER. The gentleman from Ohio asks for a reprint of House bill 64. Is there objection?

Mr. RICHARDSON. Let us have the title of the bill read, Mr. Speaker.

Mr. GROSVENOR. It is the shipping bill.

The SPEAKER. Is there objection? [After a pause.] The chair hears none, and it is so ordered.

Mr. STEELE. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

Mr. LACEY. The gentleman calls for the regular order, and to adjourn is not the regular order. It is the call of committees.

The SPEAKER. The gentleman from Illinois moved to adjourn, and the Chair submitted some papers upon the Speaker's table. The motion of the gentleman from Illinois must be put by the Chair.

The question was taken; and on a division (demanded by Mr. LACEY) there were—52 ayes and 38 noes.

So the motion was agreed to; and accordingly (at 3 o'clock and 50 minutes p. m.) the House adjourned until to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Clinch River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the case of the brig *Pilgrim*, John Thissel, master, against the United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. Q. Roberts, administrator of estate of Henry M. Roberts, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of law and fact in the case of the schooner *Betsey*, Lemuel Moody, master, against the United States—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9559) to provide for the construction of a bridge by the Duluth, Pierre and Black Hills Railroad Company across the Missouri River at Pierre, S. Dak., reported the same with amendment, accompanied by a report (No. 938); which said bill and report were referred to the House Calendar.

Mr. DOLLIVER, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 428) to amend the law establishing a port of delivery at Des Moines, Iowa, reported the same with amendment, accompanied by a report (No. 939); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOUDENSLAGER, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 10227) authorizing the President to appoint an inspector to be attached to the office of the Secretary of the Navy, reported the same without amendment, accompanied by a report (No. 941); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 2551) to provide for the further distribution of the Reports of the Supreme Court, reported the same with amendment, accompanied by a report (No. 942); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 1996) revoking and annulling the subdivision of Pencote Heights, in the District of Columbia, reported the same without amendment, accompanied by a report (No. 943); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. NEEDHAM, from the Committee on Claims, to which was referred the bill of the Senate (S. 227) for the relief of the Continental Fire Insurance Company and others, reported the same without amendment, accompanied by a report (No. 940); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9362) granting a pension to James R. Keary—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10503) for increase of pension to Sarah S. Willis—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10416) for the relief of Elizabeth L. W. Bailey, administratrix, etc.—Committee on the District of Columbia discharged, and referred to the Committee on Appropriations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS: A bill (H. R. 10504) to authorize the construction and maintenance of a dam or dams across the Kansas River, within Shawnee County, in the State of Kansas—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: A bill (H. R. 10505) to establish permanent camp grounds in the North, East, South, and West, and for other purposes—to the Committee on Military Affairs.

By Mr. JOHNSTON: A bill (H. R. 10506) to authorize the Ohio Valley Electric Railway Company to construct a bridge over the Big Sandy River, from Kenova, W. Va., to Catlettsburg, Ky.—to the Committee on Interstate and Foreign Commerce.

By Mr. SHAFROTH: A bill (H. R. 10507) to establish a soldiers' home near Denver, Co'o.—to the Committee on Military Affairs.

By Mr. MARSH: A bill (H. R. 10508) for the rearming of the National Guard of the several States and Territories—to the Committee on Military Affairs.

By Mr. JENKINS: A joint resolution (H. J. Res. 226) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. BURTON: A joint resolution (H. J. Res. 227) for a preliminary examination and survey of Cleveland Harbor, with a view to the further improvement thereof—to the Committee on Rivers and Harbors.

By Mr. McCLELLAN: A resolution (H. Res. 213) directing the Secretary of the Treasury to transmit to the House of Representatives a statement of the action of the Treasury Department in the case of Jorge Cruz, a resident of Puerto Rico, brought to New York under contract to labor in the United States, and all other facts regarding the case—to the Committee on Immigration and Naturalization.

By Mr. NAPHEN: Resolutions of the Massachusetts legislature, in favor of the establishment of a harbor of refuge at Pleasant Bay, on the eastern shore of Cape Cod, Massachusetts—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARNEY: A bill (H. R. 10509) granting a pension to Frederick A. Becker—to the Committee on Invalid Pensions.

By Mr. BOUTELLE of Maine: A bill (H. R. 10510) granting pension to Dominicus J. Wardwell—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 10511) for the relief of John Smith, of Arkansas—to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 10512) granting a pension to Mrs. Martha M. Hawkins, widow of Preston Hawkins, late of Company C, First Regiment Alabama Volunteer Cavalry—to the Committee on Pensions.

Also, a bill (H. R. 10513) granting a pension to William J. Jackson, a veteran of the Mexican war—to the Committee on Pensions.

By Mr. CURTIS: A bill (H. R. 10514) to collect \$450 due Mrs. Mary F. Allen, as the daughter of Dr. James W. Butler—to the Committee on War Claims.

By Mr. ELLIOTT: A bill (H. R. 10515) for the relief of Mrs. Sabina O'Callaghan, administratrix of the estate of Denis O'Callaghan, deceased—to the Committee on War Claims.

By Mr. GILBERT: A bill (H. R. 10516) granting a pension to James W. Poor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10517) granting a pension to Levi Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10518) for the relief of David Huddleson—to the Committee on Military Affairs.

Also, a bill (H. R. 10519) for the relief of Jonathan Jacobs—to the Committee on Military Affairs.

Also, a bill (H. R. 10520) for the relief of John Nolan—to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 10521) granting a pension to Charlotte W. Drew—to the Committee on Pensions.

By Mr. HITT: A bill (H. R. 10522) granting a pension to Mary J. Wilson—to the Committee on Invalid Pensions.

By Mr. JACK: A bill (H. R. 10523) to correct the military record of John H. Campbell—to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 10524) granting an increase of pension to Lewis H. Riden—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 10525) for the relief of the Methodist Episcopal Church at Macon, Mo.—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 10526) granting a pension to Eliza J. Houch—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 10527) to correct the military record of Capt. Daniel H. Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 10528) for the relief of James Conway—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 10529) for the relief of the estate of John Caruth, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10530) for the relief of Jacob Joiner, of De Soto County, Miss.—to the Committee on War Claims.

By Mr. STALLINGS: A bill (H. R. 10531) for the relief of Sarah Antrey, of Conecuh County, Ala.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 10532) granting a pension to Charles A. Brighton, alias Thomas Anfinson—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 10533) for relief of Milton Holt—to the Committee on Military Affairs.

Also, a bill (H. R. 10534) for relief of Valina S. Hutchinson—to the Committee on Invalid Pensions.

By Mr. TERRY (by request): A bill (H. R. 10535) for the relief of Eleazor Davis, of Pulaski County, Ark., late private of Company A, Fifty-fourth Regiment Pennsylvania Infantry Volunteers—to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 10536) for the relief of A. O. Tucker—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Petition of David Moore, J. B. Cousin, and other citizens of Baraboo, also James Pinch and others, of Grant County, Wis., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. BAILEY of Kansas: Remonstrance of Frank Marvin and other business men of Seneca, Kans., against a parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. BOUTELLE of Maine: Papers to accompany House bill granting a pension to Dominicus J. Wardwell—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Petition of the Lawrence Drug Company and other druggists of Lawrence, Kans., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, petition of the Commercial Travelers' Mutual Accident Association, for a trade treaty between the United States and Canada—to the Committee on the Judiciary.

By Mr. BURNETT: Papers to accompany House bill granting a pension to Mrs. Martha M. Hawkins, widow of Preston Hawkins—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of the Fairmont Creamery Association, of Chester County, Pa., in favor of the Grout bill taxing oleomargarine—to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of Media, Pa., to prohibit the sale of intoxicating liquors in Army canteens, etc.—to the Committee on Military Affairs.

By Mr. CANNON: Petition of citizens of Manhattan and vicinity, in Will County, Ill., favoring the passage of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. CHANLER: Petition of Association of American Advertisers of New York, favoring the passage of House bill No. 9632, for the issuance of postal check notes—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Pennsylvania Fish Protective Association, for the passage of House bill No. 7343, establishing a fish hatchery and fish station in Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Boorum & Pease Company, of New York City, N. Y., favoring the passage of House bill No. 887, for the promotion of exhibits in the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Fairchild Bros. & Foster, of New York City, N. Y., urging the passage of House bill No. 5765, known as the Russell bill, relating to the revenue tax on alcohol in manufactures, etc.—to the Committee on Ways and Means.

By Mr. DALZELL: Resolutions of the Young Peoples' Society of Christian Endeavor of the Third United Presbyterian Church of Pittsburg, Pa., against saloons in Territories, canteens in the Army, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. DE VRIES: Petition of the Woman's Christian Temperance Union of Linden, Cal., against the sale of intoxicants in the Army—to the Committee on Military Affairs.

By Mr. ELLIOTT: Resolutions of the Woman's Christian Tem-

perance Union of Anderson, S. C., favoring the passage of the bill to prohibit the sale of intoxicants in the Philippines—to the Committee on Insular Affairs.

By Mr. FITZGERALD of Massachusetts: Resolutions of the board of aldermen of Boston, Mass., protesting against the action of the trustees of the Boston Terminal Company in sending a protest to Secretary of War Root against the Cove street bridge—to the Committee on Interstate and Foreign Commerce.

By Mr. GAMBLE: Petition of the Free Methodist Church of Wessington Springs, S. Dak., favoring a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

Also, petition of the Woman's Christian Temperance Union of Erwin, S. Dak., relative to the sale of liquors in the new possessions—to the Committee on Insular Affairs.

Also, petition of faculty and members of the Lutheran Normal School of Sioux Falls, S. Dak., against the passage of the Loud bill relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of M. Brusveen and others, of Valley Springs and county of Minnehaha, S. Dak., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. HOPKINS: Petition of J. B. Atherton and other citizens of Hawaii, and Young People's Society of Christian Endeavor, of Marengo, Ill., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

Also, petition of Bradford Smith and other citizens of McHenry, Ill., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. HOWELL: Petition of D. B. Birney Post, No. 95, of Red Bank, N. J., Grand Army of the Republic, favoring the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. JACK: Petition of John A. Hunter Post, No. 123, of Leechburg, Pa., Grand Army of the Republic, in support of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. KAHN: Petition of the California State Dental Association, in favor of House bill No. 7017, amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating ailments and disabilities—to the Committee on Patents.

By Mr. KERR: Petition of the Woman's Christian Temperance Union of Norwalk, Ohio, favoring the enactment of a bill limiting immigration to such as are able to read and write—to the Committee on Immigration and Naturalization.

Also, petition of the National Hay Association, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: Petition of Lefevre Post, No. 168, of Highland, N. Y., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. KLUTTZ: Petition of L. C. Arrowood and others, of Bessemer City, N. C., in favor of the Grout bill taxing oleomargarine—to the Committee on Ways and Means.

By Mr. LANE: Petition of N. B. Howard Post, No. 92, of De Witt, Iowa, Grand Army of the Republic, in support of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. LLOYD: Affidavits to accompany House bill for the relief of the Methodist Episcopal Church at Macon, Mo.—to the Committee on War Claims.

By Mr. LONG: Petition of John Fisher and 124 citizens of Wichita, Kans., asking for the passage of the bill to recompense ex-prisoners of war—to the Committee on Military Affairs.

By Mr. McCALL: Petition of the Walker-Rintels Drug Company, of Boston, Mass., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

By Mr. MERCER: Petition of 100 citizens of Blair, Nebr., for the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill for the relief of Eliza J. Houch—to the Committee on Invalid Pensions.

By Mr. MOON: Resolution of Lewis Collins Post, No. 88, of Pikeville, Tenn., Grand Army of the Republic, urging the passage of House bill No. 7094, for the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 2137, to correct the military record of Jesse C. Allen, of Benton, Tenn.—to the Committee on Military Affairs.

By Mr. NAPHEN: Petition of the stock fire-insurance companies of Massachusetts, for the repeal of the war-revenue tax relating to insurance—to the Committee on Ways and Means.

Also, resolution of Frederick Hecker Post, No. 21, Department of Massachusetts, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, resolutions of the Transvaal Committee of California, expressing sympathy for the people of the South African and Orange Free State Republics—to the Committee on Foreign Affairs.

Also, resolutions of a mass meeting of citizens of Charlestown, Mass., for the construction of gunboats and cruisers in the Charlestown Navy-Yard—to the Committee on Naval Affairs.

By Mr. NORTON of South Carolina: Resolutions of the Woman's Christian Temperance Union of Anderson County, S. C., against the sale of intoxicating liquors in the Philippines and Hawaii—to the Committee on Insular Affairs.

By Mr. RIORDAN: Petition of Harry G. Nast and others, of New York City, N. Y., in favor of the passage of House bill No. 4351, for the classification of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON of Indiana: Petition of Modern Woodmen's Society of Orland, Ind., in favor of an amendment to the Loud bill so as to admit fraternal papers at second-class rates—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Commercial Club of Fort Wayne, Ind., favoring the passage of House bill No. 887, for the promotion of exhibits in the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Simonson Post, No. 151, of Churubusco, Ind., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of Thomas R. Marshall and 25 citizens of Wolcottville, Ind., favoring the passage of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. SHATTUC: Resolutions of the Ohio Commandery of the Military Order of the Loyal Legion, Cincinnati, Ohio, favoring action by the Government for acquiring additional grounds for use of Fort Thomas, Ky.—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky (by request): Petition of B. F. Wilson, to accompany House bill for his relief—to the Committee on Invalid Pensions.

By Mr. SPALDING: Petition of Post No. 9, Department of North Dakota, Grand Army of the Republic, in support of House bill No. 4742, to provide for the detail of active and retired officers of the Army and Navy to assist in military education in public schools—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Petition of Emmett Crawford Post, No. 19, El Paso, Tex., Grand Army of the Republic, in favor of a bill locating a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. TAWNEY: Petitions of the Evangelical Association, also of churches, of Preston, Minn., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. TERRY: Papers to accompany House bill to correct the military record of Eleazar Davis—to the Committee on Military Affairs.

By Mr. UNDERHILL: Petition of the Woman's Christian Temperance Union of Yonkers, N. Y., favoring the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. VREELAND: Petitions of the Evangelical Association and the Independent Congregation of Dunkirk, Christian Endeavor Society of Magnolia, Baptist and Methodist churches of Forestville, Christian Endeavor Society of Lakewood, Woman's Christian Temperance Union of Gerry, and Villanova Grange Hamlet, State of New York, to prohibit the sale of intoxicating liquors in Army canteens, etc.—to the Committee on Military Affairs.

Also, petition of J. F. Multrus, of Allegany, N. Y., in relation to the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. WADSWORTH: Petition of Samuel D. Hood Post, No. 91, Department of New York, Grand Army of the Republic, in favor of House bill No. 7094, for the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. WILSON of New York: Resolutions of the Real Estate Board of Brokers, against stamp taxation—to the Committee on Ways and Means.

By Mr. YOUNG: Petition of the Pennsylvania Mycological So-

ciety, Academy of Natural Sciences, Philadelphia, Pa., in favor of a national park being made of the Calaveras grove of sequoias in the State of California—to the Committee on the Public Lands.

Also, resolution of the Keystone Association, Philadelphia, Pa., favoring the passage of House bill No. 6872, providing that the Allied Printing Trades label be used on all Government publications—to the Committee on Printing.

Also, petition of the executive committee of the Temperance Association of Friends of Philadelphia Yearly Meeting, for the passage of the anti-canteen bill—to the Committee on Military Affairs.

SENATE.

SATURDAY, April 7, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. KEAN. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. JONES of Arkansas. I believe the practice of dispensing with the reading of the Journal is a very pernicious one. I think in emergencies, where there is any reason why the time of the Senate should not be taken in this way, the reading may be dispensed with, but ordinarily the Senate ought to know, and it is the only time the Senate has any means of knowing, what is the official record of the proceedings of the day before. I hope the practice of dispensing with the reading will not be indulged in to the extent it has been done heretofore. I shall not object at this time, but hereafter I shall object to dispensing with the reading of the Journal unless there is some reason for it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Jersey? The Chair hears none. Without objection, the Journal stands approved.

PRINTING AND BINDING, TREASURY DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the chief of the Division of Stationery, Printing, and Blanks, in relation to the necessity for an additional appropriation of \$60,000 for printing and binding for the Treasury Department for the remainder of the current fiscal year: which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

AGES OF EMPLOYEES IN EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 16th ultimo, a statement showing by specified ages the number of regular employees in the War Department, etc.; which, with the accompanying papers, was ordered to lie on the table and be printed.

ACTING ASSISTANT SURGEONS, UNITED STATES NAVY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Surgeon-General of the Army inclosing draft of a bill conferring upon acting assistant surgeons of the Army the same rights and privileges as regards leaves of absence as commissioned officers of the Army; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 60) to create the northwestern division of the northern district of Georgia for judicial purposes, and to fix the time and place for holding court therein; and

A bill (H. R. 10311) to authorize the Shreveport and Red River Valley Railway Company to build and maintain a railway bridge across Red River at or near the town of Alexandria, in the parish of Rapides, State of Louisiana.

PETITIONS AND MEMORIALS.

Mr. KENNEY presented a petition of sundry citizens of Kent County, Del., praying that an appropriation be made for cutting a channel through the sand bar at the mouth of the St. Jones River in that State; which was referred to the Committee on Commerce.

Mr. BURROWS presented the memorials of F. H. Gage, of Olivet; of M. A. Hanse, of Olivet, and A. E. Putnam, of Milan, all in the State of Michigan, remonstrating against the passage of the so-called parcels-post bill: which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of the Trades Council of Sault Ste. Marie; of Local Union No. 100, United Brotherhood of Carpenters and Joiners, of Muskegon; of the Central Labor Union of